

## FIFTY-FIRST DAY

(Continued)

(Tuesday, April 13, 1937)

The House met at 10:00 o'clock a. m., and was called to order by Speaker Calvert.

## LEAVES OF ABSENCE GRANTED

(By unanimous consent)

The following Members were granted leaves of absence, as follows:

Mr. Metcalfe for today, on account of important business, on motion of Mr. Bell.

Mr. Little for today, on account of important business, on motion of Mr. Morse.

## HOUSE BILLS ON FIRST READING

Mr. Oliver moved to introduce, at this time, and have placed on first reading, House Bill No. 1094.

The motion prevailed by the following vote:

Yeas—120

Adkins	Hamilton
Alsup	Hankamer
Amos	Hanna
Baker	Harbin
Bates	Hardin
Beckworth	Harper
Bell	Harrell
Blankenship	Harris of Archer
Boethel	Harris of Dallas
Boyer	Harris of Dickens
Bradbury	Hartzog
Bradford	Heflin
Bridgers	Herzik
Broadfoot	Holland
Brown	Howard
Burton	Huddleston
Callan	Hull
Carssow	Hyder
Cauthorn	James
Celaya	Johnson of Ellis
Cleveland	Johnson
Colquitt	of Tarrant
Davis of Haskell	Jones of Atascosa
Davisson	Jones of Falls
of Eastland	Jones of Wise
Dean	Keith
Deglandon	Kelt
Derden	Kenyon
Dickison	King
England	Knetsch
Farmer	Langdon
Felty	Lanning
Fielden	Leath
Fuchs	Leonard
Gibson	Leyendecker

Loggins	Russell
London	Rutta
Mann	Schuenemann
Mays	Settle
McConnell	Sewell
McCracken	Sharpe
McDonald	Shell
McFarland	Simpson
KcKee	Skaggs
Moffett	Smith of Hopkins
Monkhouse	Smith
Morris	of Matagorda
Morse	Stevenson
Newton	Stinson
Oliver	Stocks
Palmer	Talbert
Patterson of Mills	Tarwater
Petsch	Tennant
Pope	Thornton
Powell	Waggoner
Prescott	Walker
Quinn	Weldon
Ragsdale	Westbrook
Reed of Dallas	Winfree
Rhodes	Wood
Roark	Worley
Ross	

## Absent

Alexander	Mauritz
Cagle	McKinney
Cathey	Nicholson
Davis of Jasper	Patterson
Davison of Fisher	of Travis
Dollins	Reader
Fox	Reed of Bowie
Graves	Riddle
Hoskins	Smith of Tarrant
Jackson	Tennyson
Jones of Angelina	Thornberry
Keefe	Vale
Lankford	

## Absent—Excused

Bond	Lucas
Kern	Metcalfe
Little	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Oliver:

H. B. No. 1094, A bill to be entitled "An Act providing relief to the Teneha Independent School District No. —, of Shelby County, Texas, in order to aid said School District in rebuilding and equipping its school building which was destroyed by fire on April 9, 1937; making an appropriation to said District for said property, and declaring an emergency."

Referred to the Committee on Appropriations.

Mr. Tennant moved to introduce, at this time, and have placed on first reading, House Bill No. 1095.

The motion prevailed by the following vote:

Yeas—118

Adkins	Jones of Wise
Alsup	Keith
Amos	Kelt
Baker	Kenyon
Beckworth	King
Bell	Knetsch
Boethel	Langdon
Boyer	Lanning
Bradbury	Leath
Bradford	Leonard
Bridgers	Leyendecker
Brown	Loggins
Burton	London
Cagle	Mann
Callan	Mays
Carssow	McConnell
Cauthorn	McCracken
Celaya	McDonald
Cleveland	McFarland
Colquitt	Moffett
Davis of Haskell	Monkhouse
Davison of Fisher	Morris
Davissou	Morse
of Eastland	Newton
Dean	Oliver
Deglandon	Palmer
Derden	Patterson of Mills
Dickison	Petsch
England	Powell
Farmer	Prescott
Felty	Quinn
Fielden	Ragsdale
Fuchs	Reed of Dallas
Gibson	Rhodes
Graves	Roark
Hamilton	Ross
Hankamer	Russell
Hanna	Rutta
Harbin	Schuenemann
Hardin	Settle
Harper	Sewell
Harrell	Sharpe
Harris of Archer	Shell
Harris of Dallas	Simpson
Harris of Dickens	Skaggs
Heflin	Smith of Hopkins
Herzik	Smith
Howard	of Matagorda
Huddleston	Stevenson
Hull	Stinson
Hyder	Stocks
Jackson	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Atascosa	Thornton
Jones of Falls	Walker

Weldon  
Westbrook  
Winfree

Wood  
Worley

Absent

Alexander	Mauritz
Bates	McKee
Blankenship	McKinney
Broadfoot	Nicholson
Cathey	Patterson
Davis of Jasper	of Travis
Dollins	Pope
Fox	Reader
Hartzog	Reed of Bowie
Holland	Riddle
Hoskins	Smith of Tarrant
Jones of Angelina	Vale
Keefe	Waggoner
Lankford	

Absent—Excused

Bond  
Kern  
Little

Lucas  
Metcalf

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Tennant and Mr. Gibson:

H. B. No. 1095, A bill to be entitled "An Act empowering the County Commissioners' Court of each County to pass ordinances imposing taxes on dogs, quarantining dogs, impounding dogs, require muzzling dogs and requiring vaccination with rabies vaccine, to authorize destruction of ownerless, stray and unvaccinated dogs and dogs infected with rabies, impose a penalty for violation of ordinances and to authorize the Veterinary Department of the Livestock Sanitary Commission to aid and assist the County Commissioners Court in preparing ordinances, investigating outbreaks, vaccinating dogs, etc.; and authorizing the State Health Department to manufacture and furnish canine rabies vaccine and to authorize incorporated cities to cooperate with the County Commissioners Court in carrying out rabies control provisions of this Act, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Leath moved to introduce, at this time, and have placed on first reading, House Bill No. 1096.

The motion prevailed by the following vote:

Yeas—127

Adkins	Jones of Atascosa
Alexander	Jones of Falls
Alsup	Jones of Wise
Amos	Keefe
Baker	Keith
Bates	Kelt
Beckworth	Kenyon
Bell	King
Blankenship	Knetsch
Boethel	Langdon
Boyer	Lankford
Bradbury	Lanning
Bradford	Leath
Bridgers	Leyendecker
Brown	Loggins
Burton	London
Callan	Mann
Carssow	Mauritz
Cathey	Mays
Cauthorn	McDonald
Celaya	McFarland
Cleveland	McKee
Colquitt	McKinney
Davis of Haskell	Moffett
Davis of Jasper	Monkhouse
Davison of Fisher	Morris
Davison	Morse
of Eastland	Newton
Dean	Patterson of Mills
Deglandon	Patterson
Derden	of Travis
Dickison	Petsch
Dollins	Pope
England	Powell
Farmer	Prescott
Felty	Quinn
Fox	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Rhodes
Graves	Riddle
Hamilton	Roark
Hankamer	Ross
Hanna	Rutta
Hardin	Schuenemann
Harper	Settle
Harrell	Sewell
Harris of Archer	Sharpe
Harris of Dallas	Shell
Harris of Dickens	Simpson
Hartzog	Skaggs
Heflin	Smith of Hopkins
Herzik	Smith
Hoskins	of Matagorda
Howard	Stinson
Hull	Stocks
Hyder	Talbert
Jackson	Tarwater
James	Tennant
Johnson of Ellis	Tennyson
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Vale

Waggoner  
Walker  
Weldon  
Westbrook

Winfree  
Wood  
Worley

Absent

Broadfoot	Nicholson
Cagle	Oliver
Fielden	Palmer
Harbin	Ragsdale
Holland	Reader
Huddleston	Russell
Leonard	Smith of Tarrant
McConnell	Stevenson
McCracken	

Absent—Excused

Bond	Lucas
Kern	Metcalfe
Little	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Leath, Mr. Gibson and Mr. Tennant:

H. B. No. 1096, A bill to be entitled "An Act creating County Wide Equalization School Districts in all counties containing a population of not less than 15,700 nor more than 32,500, according to the last preceding Federal Census and containing a valuation of more than \$75,000,000.00; providing for the vesting of the general management, supervision and control of the public schools and educational interests of such counties in the County Board of School Trustees; etc, and declaring an emergency."

Referred to the Committee on Counties.

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Jones of Falls:

H. B. No. 1097, A bill to be entitled "An Act making it unlawful for any person to kill quail in Falls County for three years; providing for the punishment of persons violating the provisions hereof, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

#### COMMITTEE TO INVESTIGATE CONDITIONS AT CERTAIN ELEEMOSYNARY INSTI- TUTIONS

The Speaker announced the appointment of the following committee,

in accordance with a resolution heretofore adopted, to investigate conditions at the Gatesville Reformatory and other State Eleemosynary Institutions:

Messrs. Harrell, Ragsdale and Derden.

**APPOINTMENT ON COMMITTEE  
TO INVESTIGATE EXPENDI-  
TURE OF RURAL AID  
FUNDS**

Mr. Metcalfe having resigned from the Committee to investigate the condition of and expenditure from the Rural Aid Fund, the Speaker announced the appointment of Mr. Fielden to fill the vacancy created by such resignation.

**ADDITIONAL MEMBERS ON COM-  
MITTEE TO INVESTIGATE  
ALLEGED VIOLATION  
OF THE NEPOTISM  
LAW**

The Speaker announced the appointment of the following additional members of the investigating committee in regard to alleged violation of the Nepotism Law and other State regulations:

Messrs. Bradbury and Harris of Archer.

**BILL ORDERED NOT PRINTED**

On motion of Mr. Jones of Falls, House Bill No. 1091 was ordered not printed.

**ADOPTION OF CONFERENCE COM-  
MITTEE REPORT ON SENATE  
CONCURRENT RESOLU-  
TION NO. 1**

The Speaker laid before the House, for consideration at this time, the conference committee report on Senate Concurrent Resolution No. 1, Providing for Joint Rules of the House and Senate.

The report having been submitted to the House on yesterday, and printed in the Journal.

On motion of Mr. Petsch, the report was adopted by the following vote:

Yeas—128

Adkins	Boethel
Alsup	Bond
Amos	Boyer
Baker	Bradbury
Bates	Bradford
Beckworth	Bridgers
Bell	Broadfoot
Blankenship	Brown

Burton	Leonard
Cagle	Leyendecker
Callan	Loggins
Carssow	London
Cauthorn	Mann
Celaya	Mauritz
Cleveland	Mays
Colquitt	McConnell
Davis of Haskell	McCracken
Davis of Jasper	McDonald
Davison of Fisher	McFarland
Davisson	McKinney
of Eastland	Moffett
Dean	Monkhouse
Deglandon	Morris
Derden	Morse
Dickson	Patterson of Mills
England	Patterson
Farmer	of Travis
Felty	Petsch
Fielden	Pope
Fox	Powell
Gibson	Prescott
Graves	Quinn
Hamilton	Ragsdale
Hankamer	Reader
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Roark
Harrell	Ross
Harris of Archer	Russell
Harris of Dallas	Rutta
Harris of Dickens	Schuenemann
Hartzog	Settle
Heflin	Sewell
Herzik	Sharpe
Holland	Shell
Huddleston	Simpson
Hull	Skaggs
Hyder	Smith of Hopkins
Jackson	Smith
James	of Matagorda
Johnson of Ellis	Stevenson
Johnson	Stinson
of Tarrant	Stocks
Jones of Angelina	Talbert
Jones of Atascosa	Tarwater
Jones of Falls	Tennant
Jones of Wise	Thornberry
Keith	Thornton
Kelt	Waggoner
Kenyon	Walker
King	Weldon
Knetsch	Westbrook
Langdon	Winfree
Lanning	Wood
Leath	Worley

**Absent**

Alexander	Howard
Cathey	Keefe
Dollins	Lankford
Fuchs	McKee
Hoskins	Newton

Nicholson  
Oliver  
Palmer  
Riddle

Smith of Tarrant  
Tennyson  
Vale

Absent—Excused

Kern  
Little

Lucas  
Metcalf

# HOUSE JOINT RESOLUTION NO. 2 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 2, Proposing an amendment to Article III of the Constitution of the State of Texas, by adding a new Section thereto to be known as Section 48b authorizing the Legislature to establish a system of unemployment insurance, and providing for the levying of a tax on pay-rolls for such purpose; and providing for its submission to the voters as required by the Constitution and making an appropriation therefor.

The resolution was read second time, and was passed by the following vote:

Yeas—122

Adkins  
Alexander  
Alsup  
Amos  
Baker  
Bates  
Beckworth  
Bell  
Blankenship  
Boethel  
Boyer  
Bradbury  
Bradford  
Bridgers  
Brown  
Burton  
Callan  
Carssow  
Cauthorn  
Celaya  
Cleveland  
Colquitt  
Davis of Haskell  
Davis of Jasper  
Davison of Fisher  
Davisson  
of Eastland  
Dean  
Deglendon  
Dickison  
England  
Farmer  
Fielden  
Fox

Fuchs  
Gibson  
Graves  
Hamilton  
Hankamer  
Hanna  
Harbin  
Hardin  
Harper  
Harrell  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Heflin  
Herzik  
Holland  
Howard  
Huddleston  
Hull  
Hyder  
Jackson  
James  
Johnson of Ellis  
Johnson  
of Tarrant  
Jones of Angelina  
Jones of Atascosa  
Jones of Falls  
Jones of Wise  
Keith  
King  
Knetsch  
Langdon

Lankford  
Lanning  
Leonard  
Loggins  
London  
Mann  
Mauritz  
Mays  
McConnell  
McCracken  
McDonald  
McFarland  
McKee  
Moffett  
Monkhouse  
Morris  
Morse  
Newton  
Oliver  
Palmer  
Patterson of Mills  
Patterson  
of Travis  
Petsch  
Powell  
Prescott  
Quinn  
Ragsdale  
Reader

Reed of Bowie  
Reed of Dallas  
Rhodes  
Roark  
Ross  
Russell  
Rutta  
Schuenemann  
Settle  
Sharpe  
Shell  
Simpson  
Smith of Hopkins  
Smith  
of Matagorda  
Smith of Tarrant  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Thornberry  
Thornton  
Waggoner  
Walker  
Weldon  
Winfree  
Wood  
Worley

Nays—4

Kelt  
Kenyon

Pope  
Sewell

Present—Not Voting

Skaggs

Absent

Broadfoot  
Cagle  
Cathey  
Derden  
Dollins  
Felty  
Hoskins  
Keefe  
Leath

Leyendecker  
McKinney  
Nicholson  
Riddle  
Stevenson  
Tennyson  
Vale  
Westbrook

Absent—Excused

Bond  
Kern  
Little

Lucas  
Metcalf

Mr. Stinson moved to reconsider the vote by which House Joint Resolution No. 2 was passed.

The motion to reconsider prevailed.

Mr. Farmer offered the following amendment to the resolution:

Amend House Joint Resolution No. 2, page 1, lines 28, 29 and 30, by striking out the following language: "at the next General Election to be held on the first Tuesday after the

first Monday in November, 1938, being November 8th, 1938," and insert in lieu thereof the following: "at an election to be held on the fourth Monday in August, 1937."

The amendment was adopted.

House Joint Resolution No. 2 was then passed by the following vote:

Yeas—125

Adkins	Jackson
Alexander	James
Alsup	Johnson of Ellis
Amos	Johnson
Baker	of Tarrant
Bates	Jones of Angelina
Beckworth	Jones of Atascosa
Bell	Jones of Falls
Blankenship	Jones of Wise
Boethel	Keith
Boyer	Kelt
Bradbury	Langdon
Bradford	Lankford
Bridgers	Lanning
Burton	Leonard
Cagle	Leyendecker
Callan	Loggins
Carssow	London
Cathey	Mann
Cauthorn	Mauritz
Celaya	Mays
Cleveland	McConnell
Colquitt	McCracken
Davis of Haskell	McDonald
Davis of Jasper	McFarland
Davison of Fisher	KcKee
Davisson	Moffett
of Eastland	Monkhouse
Dean	Morris
Deglandon	Morse
Dickison	Newton
Dollins	Oliver
Farmer	Palmer
Fielden	Patterson of Mills
Fuchs	Patterson
Gibson	of Travis
Graves	Petsch
Hamilton	Powell
Hankamer	Prescott
Hanna	Quinn
Harbin	Ragsdale
Hardin	Reader
Harper	Reed of Bowie
Harrell	Reed of Dallas
Harris of Archer	Rhodes
Harris of Dallas	Riddle
Harris of Dickens	Roark
Hartzog	Ross
Heflin	Russell
Holland	Rutta
Howard	Schuenemann
Huddleston	Settle
Hull	Sewell
Hyder	Sharpe

Simpson	Thornberry
Smith of Hopkins	Thornton
Smith	Vale
of Matagorda	Waggoner
Smith of Tarrant	Walker
Stinson	Weldon
Stocks	Westbrook
Talbert	Winfree
Tarwater	Wood
Tennant	Worley
Tennyson	

Nays—4

Broadfoot	Pope
Kenyon	Skaggs

Absent

Brown	King
Derden	Knetsch
England	Leath
Felty	McKinney
Fox	Nicholson
Herzik	Shell
Hoskins	Stevenson
Keefe	

Absent—Excused

Bond	Lucas
Kern	Metcalfe
Little	

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 343, "Providing for the public sale of oil and gas in and on University lands, and declaring an emergency."

S. B. No. 337, "An Act making an appropriation to pay the increase of salaries to District Judges as authorized by H. B. No. 10, Acts of the Regular Session of the Forty-fifth Legislature, and providing for method of payment of such salaries, and declaring an emergency."

MESSAGE FROM THE SENATE

Austin, Texas, April 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 130.

The following have been appointed on the part of the Senate:

Senators Stone, Lemens, Oneal, Weinert and Brownlee.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE JOINT RESOLUTION NO. 3 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 3, Proposing an amendment to Article XVI of the Constitution of the State of Texas by adding thereto a new Section, known as "Section 62," providing that the Attorney General of the State of Texas shall have the authority to appoint six Assistant Attorneys General whose terms of office shall be for six years except the first person appointed shall serve: two for two years, two for four years and two for six years; said terms to be designated by the Attorney General at the time of appointment; and further providing that the salary of each of such Assistants shall be Five Thousand (\$5,000.00) Dollars per annum, payable in equal monthly installments and further providing that the Attorney General may appoint such other Assistant Attorneys General as the Legislature may authorize; provided that said Assistant Attorneys General shall be subject to the instructions of the Attorney General at all times; and providing for the necessary publication and election and making an appropriation to pay therefor.

The resolution was read second time.

On motion of Mr. Jones of Atascosa, the resolution was tabled.

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 261

Mr. Reed of Dallas, Chairman, submitted the following Conference Committee Report on Senate Bill No. 261:

Committee Room,  
Austin, Texas, April 12, 1937.  
To the Honorable Walter F. Woodul,  
President of the Senate.  
Honorable R. W. Calvert, Speaker of  
the House of Representatives.  
Gentlemen:

We, your Conference Committee appointed to adjust the differences be-

tween the Senate and the House on Senate Bill No. 261, after due consideration, recommend that the free Conference Report hereto attached be in all things adopted.

Respectfully,

RAWLINGS,  
COLLIE,  
SHIVERS,  
MOORE,  
ROBERTS,

On the part of the Senate.

REED of Dallas,  
KEITH,  
MAYS,  
MANN,  
FARMER,

On the part of the House.

S. B. No. 261

#### A BILL

#### To Be Entitled

An Act amending Section 14, Chapter 277, Acts of the Regular Session, Forty-second Legislature, 1931, as amended by the Forty-third Legislature, 1933, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Section 14, Chapter 277, Acts of the Regular Session, Forty-second Legislature, as amended by the Forty-third Legislature, be amended to read as follows:

"Section 14 (a). The Commission shall have the power and authority under this Act to hear and determine all applications of motor carriers; to determine complaints presented to it by such carrier, by any public official, or by any citizen having an interest in the subject matter of the complaint, or it may institute and investigate any matter pertaining to motor carriers upon its own motion. The Commission, or any member thereof, or authorized representative or Examiner of the Commission, shall have power to compel the attendance of witnesses, swear witnesses, take their testimony under oath, make record thereof, and if such record is made under the direction of a Commissioner, or authorized representative or Examiner of the Commission, a majority of the Commission may, upon the record, render judgment as if the case had been heard before a majority of the members of the Commission. The Commission shall have the power and authority under this

Act to do and perform all necessary things to carry out the purpose, intent, and provisions of this Act, whether herein specifically mentioned or not, and to that end may hold hearings at any place in Texas which it may designate.

"(b). To expedite the hearing and disposition of applications, the Examiner or authorized representative of the Commission shall have authority under orders of the Commission to hear applications which may be assigned to him by the Commission; after the hearing of an application has been concluded by such representative or Examiner, it shall be his duty promptly to make a written report to the Commission recommending disposition of said application. Such report and recommendation shall be accompanied by a brief narrative statement of the evidence, and shall contain such other information as such representative or Examiner may think advisable, or as may be required by the Commission. Unless required by the Commission, it shall not be necessary for the reporter to transcribe said evidence in full, but it shall be sufficient to make a brief narrative statement giving the correct summary of such evidence; provided, however, the Commission shall have the authority to require said evidence, or any part thereof, to be transcribed in full if deemed advisable or necessary."

Section 2. The fact that the number of applications being filed before the Railroad Commission is constantly increasing, and the further fact that the regulation of other forms of transportation placed under the jurisdiction of the Railroad Commission has greatly increased the duties of the Commission, and the further fact that the present law makes provision for Examiners to assist the Commission, create an emergency and an imperative public necessity requiring the suspension of the Constitutional rule requiring all bills to be read on three several days in each House, and the Constitutional rule requiring all bills to take effect and go into force ninety days after adjournment of the session, and said rules are hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Reed of Dallas moved that the report be adopted.

Mr. Pope moved that the report be printed in the Journal and that further consideration of the report be postponed until 10:00 o'clock a. m., tomorrow.

The motion of Mr. Pope prevailed.

#### HOUSE JOINT RESOLUTION NO. 8 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 8, Proposing amendment to Section 1 of Article VIII of the Constitution of the State of Texas providing that taxation of real property shall be equal and uniform; and all property, whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value as may be ascertained as provided by law; that the Legislature may make reasonable classification of all property other than real property for the purpose of taxation, and may impose different rates thereon; providing that the taxation of property in any class shall be equal and uniform; and providing that the Legislature may impose a poll tax and may impose an occupation tax on natural persons or corporations, other than municipal, doing business in this State; that it may tax income of both natural persons and corporations, other than municipal, except that persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax; exempting Two Hundred and Fifty (\$250.00) Dollars worth of household and kitchen furniture belonging to each family in this State; and providing further that the occupation tax levied by any county, city or town for any year on persons or corporations pursuing any profession or business shall not exceed one-half of the tax levied by the State for the same period.

The resolution was read second time.

Mr. Farmer offered the following amendment to the resolution:

Amend House Joint Resolution No. 8 as follows: Strike out these words on page 2, in line 21: "Saturday in April, 1937," and insert therefor these words: "Fourth Monday in August, 1937."

Mr. Worley offered the following substitute for the amendment by Mr. Farmer:



Amend House Joint Resolution No. 8, page 2, line 21, by changing the words "fourth Saturday in April" to "fourth Saturday in August, 1937".

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. Moffett offered the following amendment to the resolution:

Amend House Joint Resolution No. 8, by striking out all, except the first paragraph, of Section 1 of said resolution and inserting in lieu thereof the following:

"Taxation of real property shall be equal and uniform. All property in this State, whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value, which shall be ascertained as may be provided by law, provided that the State ad valorem tax rate, exclusive of the 35c tax for public schools and the 7c tax for Confederate pensions, shall never exceed a tax of 35c on the \$100.00 valuation of property and provided further that no Assessor of Taxes in this State or in any governmental subdivision of this State shall ever assess, nor shall any Board of Equalization fix the value of any property for State or Local taxation at more than the fair cash market value of said property. The Legislature may by general laws make reasonable classifications of all property other than real property for the purpose of taxation and may impose different rates thereon, provided that the valuation for taxation of all property shall be equal and uniform and provided further that the tax rate on no class shall ever exceed, but may be lower than, the tax rate on real property. Such property as is not classified into reasonable classifications by the Legislature for the purpose of taxation shall be taxed on the same basis as real property. This section shall not affect any exemption of property from taxation provided in any other section of the Constitution of the State of Texas. The Legislature may impose a poll tax. It may also impose occupation taxes, both upon natural persons and upon corporations, other than municipal, doing any business in this State. It may also tax incomes of both natural persons and corporations other than municipal, except that persons en-

gaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax; provided, that Two Hundred and Fifty (\$250.00) Dollars worth of household and kitchen furniture, belonging to each family in this State shall be exempt from taxation, and provided further that the occupation tax levied by any county, city or town for any year on persons or corporations pursuing any profession or business, shall not exceed one-half of the tax levied by the State for the same period on such profession or business."

MOFFETT,  
MAURITZ,  
FARMER.

Mr. Stocks offered the following amendment to the amendment by Mr. Moffett:

Amend the Moffett amendment to House Joint Resolution No. 8, beginning after the phrase "occupation tax" to read, as follows:

"Provided that all bona fide homesteads, except such portions or per cent thereof as shall be rented or leased for income, shall be exempt from taxation; and provided further that all household furnishings, appurtenances, appliances and all wearing apparel of all persons shall be exempt from taxation."

(Pending consideration of the amendment by Mr. Stocks, Mr. Hamilton occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Farmer moved to table the amendment by Mr. Stocks.

The motion to table prevailed.

Question then recurring on the amendment by Mr. Moffett, it was adopted.

Mr. Baker offered the following amendment to the resolution:

Amend House Joint Resolution No. 8, by striking out all below the resolving clause and insert in lieu thereof the following:

Section 1. "That Section I of Article VIII of the Constitution of the State of Texas be amended so as to hereafter read, as follows:

"Sec. 1. Taxation of real property shall be equal and uniform. All property in this State, whether owned by natural persons or corporations other than municipal, shall be taxed in proportion to its value which shall be ascertained as may be pro-

vided by law. The Legislature may, by general law, make reasonable classification of all property other than real estate for the purpose of taxation and may impose different rates thereon; provided that the taxation of all property in any class shall be equal and uniform. The Legislature shall have authority by general law to impose a poll tax. It may also impose occupation taxes both upon natural persons and upon corporations other than municipal doing any business in this State, except that persons engaged in mechanical and agricultural pursuits shall not be required to pay an occupation tax. It may also tax incomes of both natural persons and corporations other than municipal; provided that \$250.00 worth of household and kitchen furniture belonging to each family in this State shall be exempt from taxation and provided further that the occupation tax levied by any county, city or town for any year on persons or corporations pursuing any profession or business shall not exceed one-half of the tax levied by the State for the same period on such profession or business; provided, however, that nothing contained herein shall affect in any wise the homestead exemptions or any other constitutional exemptions of property from taxation."

Section 2. "That Section 18 of Article VIII of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Sec. 18. The Legislature shall have authority by general law to provide for equalizing as near as may be the valuation of all property subject to or rendered for taxation; provided that the county commissioners court shall constitute a board of equalization for the purpose of equalizing and fixing the value of all farm lands, ranch lands, timber lands, town and city lots with improvements thereon, all household furnishings, farm implements, poultry and live stock in the several counties."

Section 3. The foregoing amendment to Sections 1 and 18 of Article VIII of the Constitution of Texas shall be submitted to a vote of qualified electors of this State at an election to be held on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. At this election, all voters favoring said amendment shall write or have printed on their ballot the words: "For the amendment to

the Constitution of the State of Texas providing that taxation of real property shall be equal and uniform; and providing that the Legislature may make reasonable classification of all other property for the purpose of taxation and impose different rates thereon, and providing that the county commissioners court shall equalize the value of all farm lands, ranch lands, timber lands, town and city lots with improvements thereon, household furnishings, farm implements, poultry and live stock rendered for taxation in the several counties; provided, however, that nothing contained herein shall affect in any wise the homestead exemptions or any other constitutional exemptions of property from taxation."

Those voters opposing said proposed amendment shall write or have printed on their ballot the words: "Against the amendment to the Constitution of the State of Texas providing that taxation of real property shall be equal and uniform; and providing that the Legislature may make reasonable classification of all other property for the purpose of taxation and impose different rates thereon; and providing that the county commissioners court shall equalize the value of all farm lands, ranch lands, timber lands, town and city lots with improvements thereon, household furnishings, farm implements, poultry and live stock rendered for taxation in the several counties; provided, however, that nothing contained herein shall affect in any wise the homestead exemptions or any other constitutional exemptions of property from taxation."

BAKER,  
BELL,  
BATES,  
RAGSDALE,  
PATTERSON of Mills,  
KING.

Question—Shall the amendment by Mr. Baker be adopted?

EXTENDING INVITATION TO  
MAYOR OF CITY OF  
HOUSTON

Mr. Winfree offered the following resolution:

Whereas, The Honorable Mayor of the city of Houston, and party will arrive at the door of the House, shortly after two o'clock, on this, the 13th day of April, 1937, with an invitation to the Members of the House

to visit the city of Houston, as its guests and be entertained on San Jacinto day at the battle ground of San Jacinto, near the ship channel of the port of Houston which is the port of all Texas; therefore, be it

Resolved, That the Mayor of the city of Houston and party be invited to address the House, upon their arrival, and be allowed the privilege of extending said invitation from the Speaker's stand.

WINFREE,  
MORSE,  
HOWARD,  
HEFLIN,  
MANN.

The resolution was read second time, and was adopted.

#### TO PROVIDE FOR THE USE OF CERTAIN HIGHWAY EQUIPMENT

Mr. McDonald offered the following resolution:

H. C. R. No. 94, To provide for the use of certain highway equipment.

Whereas, The County of Grimes, Texas, is in need of a welding machine for repairs to certain bridges; and

Whereas, The State Highway Department has such equipment desired; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State Highway Department be authorized to lend said equipment to the County of Grimes, Texas.

The resolution was read second time, and was adopted.

#### RECESS

Mr. Reed of Bowie moved that the House recess until 2:00 o'clock p. m., today.

Mr. Hull moved that the House recess until 2:30 o'clock p. m., today.

The motion of Mr. Reed of Bowie prevailed, and the House, accordingly, at 12:10 o'clock p. m., took recess until 2:00 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

#### LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Harbin was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Morse.

#### HOUSE JOINT RESOLUTION NO. 8 ON PASSAGE TO EN- GROSSMENT

The House resumed consideration of pending business, same being House Joint Resolution No. 8, concerning classification of property for taxation, the resolution having been read second time on this morning, with amendment offered by Mr. Baker, pending.

Mr. Thornton moved that House Joint Resolution No. 8 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—35

Blankenship	James
Boyer	Jones of Atascosa
Bradford	Kenyon
Cagle	Knetsch
Carssow	Leath
Celaya	McKee
Colquitt	McKinney
Dean	Morse
Dickison	Newton
Fuchs	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Rutta
Hardin	Smith
Harris of Dallas	of Matagorda
Heflin	Stevenson
Howard	Stinson
Hull	Thornton
Jackson	Wood

Nays—85

Adkins	Cleveland
Alexander	Davis of Haskell
Alsup	Davis of Jasper
Amos	Davison of Fisher
Baker	Deglandon
Bates	Dollins
Beckworth	England
Bell	Farmer
Boethel	Felty
Bond	Fielden
Bradbury	Fox
Bridgers	Gibson
Broadfoot	Hamilton
Brown	Harper
Burton	Harrell
Callan	Harris of Archer
Cauthorn	Harris of Dickens

Herzik	Patterson	The amendment was lost by the following vote:	
Holland	of Travis		
Hoskins	Petsch	Yeas—54	
Hyder	Powell	Baker	Keefe
Johnson of Ellis	Prescott	Bates	Keith
Johnson	Quinn	Beckworth	Kelt
of Tarrant	Roark	Bell	King
Jones of Angelina	Ross	Boethel	Langdon
Jones of Falls	Russell	Cagle	Lanning
Jones of Wise	Settle	Callan	London
Keefe	Sewell	Carssow	Mann
Kelt	Sharpe	Cauthorn	Mays
King	Simpson	Davis of Haskell	McDonald
Langdon	Skaggs	Davis of Jasper	McFarland
Lankford	Smith of Hopkins	Davisson	Morris
Lanning	Stocks	of Eastland	Palmer
Leyendecker	Talbert	Deglandon	Patterson of Mills
Loggins	Tarwater	Derden	Powell
London	Tennant	England	Prescott
Mann	Tennyson	Fielden	Roark
Mauritz	Thornberry	Gibson	Ross
Mays	Waggoner	Hanna	Rutta
McFarland	Walker	Harper	Sewell
Moffett	Weldon	Heflin	Skaggs
Morris	Westbrook	Herzik	Stinson
Oliver	Worley	Holland	Stocks
Patterson of Mills		Johnson of Ellis	Talbert
		Johnson	Tennant
		of Tarrant	Thornberry
		Jones of Angelina	Westbrook
		Jones of Wise	Worley
		Nays—74	
		Adkins	Huddleston
		Alexander	Hull
		Alsup	Hyder
		Amos	Jackson
		Blankenship	James
		Boyer	Jones of Atascosa
		Bradbury	Jones of Falls
		Bradford	Kenyon
		Broadfoot	Knetsch
		Burton	Lankford
		Cathey	Leath
		Celaya	Leonard
		Cleveland	Leyendecker
		Colquitt	Loggins
		Davison of Fisher	Mauritz
		Dean	McCracken
		Dickison	McKee
		Dollins	McKinney
		Farmer	Moffett
		Felty	Morse
		Fox	Newton
		Fuchs	Oliver
		Hamilton	Patterson
		Hankamer	of Travis
		Hardin	Petsch
		Harrell	Quinn
		Harris of Archer	Reed of Bowie
		Harris of Dallas	Reed of Dallas
		Harris of Dickens	Russell
		Howard	Schuenemann

## Absent

Cathey	Nicholson
Davisson	Palmer
of Eastland	Pope
Derden	Ragsdale
Graves	Reader
Hartzog	Rhodes
Huddleston	Riddle
Keith	Schuenemann
Leonard	Shell
McConnell	Smith of Tarrant
McCracken	Vale
McDonald	Winfree
Monkhouse	

## Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

Mr. Dean moved the previous question on the pending amendment, and the passage of House Joint Resolution No. 8, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Knetsch moved the previous question on the pending amendment, and the passage of House Joint Resolution No. 8, and the main question was ordered.

Question first recurring on the amendment by Mr. Baker, yeas and nays were demanded.

Settle	Tarwater
Sharpe	Thornton
Simpson	Vale
Smith of Hopkins	Waggoner
Smith	Walker
of Matagorda	Weldon
Smith of Tarrant	Winfree
Stevenson	Wood

## Absent

Bond	Nicholson
Bridgers	Pope
Brown	Ragsdale
Graves	Reader
Hartzog	Rhodes
Hoskins	Riddle
McConnell	Shell
Monkhouse	Tennyson

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

House Joint Resolution No. 8 was then passed to engrossment by the following vote:

## Yeas—87

Adkins	Hull
Alexander	Hyder
Amos	Johnson of Ellis
Baker	Johnson
Bates	of Tarrant
Beckworth	Jones of Angelina
Bell	Jones of Falls
Boethel	Jones of Wise
Bond	Keefe
Bradbury	Keith
Bridgers	Kelt
Broadfoot	King
Burton	Langdon
Callan	Lankford
Carssow	Lanning
Cathey	Leath
Cleveland	Leyendecker
Davis of Haskell	Loggins
Davison of Fisher	London
Davisson	Mann
of Eastland	Mauritz
Deglandon	Mays
England	McDonald
Farmer	McFarland
Fielden	Moffett
Fox	Morris
Fuchs	Oliver
Gibson	Palmer
Hamilton	Patterson of Mills
Harper	Patterson
Harris of Archer	of Travis
Harris of Dickens	Petsch
Herzik	Powell
Holland	Prescott
Huddleston	Quinn

Roark	Smith of Tarrant
Ross	Stocks
Russell	Talbert
Rutta	Tarwater
Settle	Tennant
Sewell	Thornberry
Sharpe	Walker
Simpson	Weldon
Skaggs	Westbrook
Smith of Hopkins	Worley

## Nays—46

Alsup	James
Blankenship	Jones of Atascosa
Boyer	Kenyon
Bradford	Knetsch
Cagle	Leonard
Cauthorn	McCracken
Celaya	McKee
Colquitt	McKinney
Davis of Jasper	Monkhouse
Dean	Morse
Derden	Newton
Dickison	Reed of Bowie
Dollins	Reed of Dallas
Felty	Schuenemann
Hankamer	Shell
Hanna	Smith
Hardin	of Matagorda
Harrell	Stinson
Harris of Dallas	Thornton
Hartzog	Vale
Heflin	Waggoner
Hoskins	Winfree
Howard	Wood
Jackson	

## Absent

Brown	Reader
Graves	Rhodes
McConnell	Riddle
Nicholson	Stevenson
Pope	Tennyson
Ragsdale	

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

### HOUSE JOINT RESOLUTION NO. 10 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 10, Proposing to amend the Constitution of Texas by adding a new section to be known as Section 30-b of Article XVI of the Constitution providing four (4) year terms of office for all precinct, county and district offices, and providing that incumbents in office at the time of the adoption of this amendment shall hold

for four year term instead of a two year term; amending Section 4 of Article III, providing for manner of election and apportionment of Members of the House of Representatives; providing for an election on the question of adoption or rejection of said amendments and making an appropriation therefor.

The resolution was read second time.

Mr. Cagle offered the following committee amendment to the resolution:

Amend House Joint Resolution No. 10 as to words to appear on ballot so as to read:

"For the amendments to the Constitution, fixing the terms of office of all precincts, county and district at four (4) years, extending those officers in office for two years."

"Against the amendments to the Constitution, fixing the terms of office of all precincts, county and district at four (4) years, extending those officers in office for two years."

The amendment was adopted.

Mr. McKee offered the following amendment to the resolution:

Amend House Joint Resolution No. 10, by adding a proviso to the second paragraph in Section 1 to read as follows:

"Provided, that all district attorneys, criminal district attorneys and resident criminal district attorneys shall hold their respective offices for a term of four (4) years and that the present incumbents of such offices who were elected for a two (2) year term shall hold their respective offices for a four year term."

The amendment was adopted.

Mr. McKee offered the following amendment to the resolution:

Amend Section 3 of House Joint Resolution No. 10, line 19, by striking out the word "first" and inserting in lieu thereof the word "fourth" and by inserting in the first blank place on line 20 the word "Saturday" and in the second blank place the word "August" on the same line.

The amendment was adopted.

Mr. Talbert offered the following amendment to the resolution:

Amend House Joint Resolution No. 10, so as to exclude all of Section 1, line 40, page 1, beginning with "Provided that incumbents" and extending to and inclusive of line 4, page 2, end-

ing with the word "terms" and inserting in lieu thereof the following:

"Provided that this resolution shall not extend the term of office of the incumbent of any precinct, county and/or district officer who was elected for a term of two years."

TALBERT,  
JONES of Wise,  
LONDON,  
QUINN.

Mr. Broadfoot moved to table the amendment by Mr. Talbert.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—58

Alsup	Keith
Amos	Kenyon
Boyer	King
Bradford	Leath
Broadfoot	Leyendecker
Callan	Mauritz
Carssow	Mays
Cathey	McCracken
Cleveland	McKee
Colquitt	McKinney
Davis of Haskell	Monkhouse
Deglandon	Newton
Dollins	Patterson of Mills
England	Patterson
Fuchs	of Travis
Gibson	Pope
Hanna	Reed of Dallas
Hardin	Riddle
Harper	Russell
Harrell	Schuenemann
Harris of Dallas	Sewell
Herzik	Sharpe
Hoskins	Shell
Hull	Smith of Hopkins
Hyder	Smith of Tarrant
Jackson	Stinson
James	Thornberry
Johnson	Vale
of Tarrant	Waggoner
Jones of Falls	Wood

Nays—76

Adkins	Cagle
Alexander	Cauthorn
Baker	Celaya
Bates	Davison of Fisher
Beckworth	Davisson
Bell	of Eastland
Blankenship	Dean
Boethel	Derden
Bradbury	Dickison
Bridgers	Farmer
Brown	Felty
Burton	Fielden

Fox	Morse
Hamilton	Oliver
Hankamer	Palmer
Harris of Archer	Petsch
Harris of Dickens	Powell
Hartzog	Prescott
Holland	Quinn
Howard	Reed of Bowie
Huddleston	Roark
Johnson of Ellis	Ross
Jones of Angelina	Rutta
Jones of Atascosa	Settle
Jones of Wise	Simpson
Keefe	Skaggs
Kelt	Smith
Knetsch	of Matagorda
Langdon	Stevenson
Lankford	Stocks
Lanning	Talbert
Leonard	Tarwater
Loggins	Tennant
London	Tennyson
Mann	Thornton
McDonald	Walker
McFarland	Weldon
Moffett	Winfree
Morris	Worley

## Absent

Bond	Nicholson
Davis of Jasper	Ragsdale
Graves	Reader
Heflin	Rhodes
McConnell	Westbrook

## Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

Mr. Hartzog offered the following substitute for the amendment by Mr. Talbert:

Amend pending amendment to House Joint Resolution No. 10, by substituting in lieu thereof the following at the proper place in House Joint Resolution No. 10:

"Provided that in any precinct, county or district wherein this amendment fails to pass that said amendment shall not be effective in said precinct, county or district, until after the general election in 1938."

Mr. Petsch moved to table the substitute amendment by Mr. Hartzog.

The motion to table prevailed.

Mr. Carssow offered the following amendment to the amendment by Mr. Talbert:

Amend pending amendment to hereafter read as follows:

"Provided that this resolution shall not extend the term of office of the incumbent as Representative who was elected for two years."

Mr. Quinn raised a point of order, on further consideration of the amendment, on the ground that the amendment is not germane to the resolution.

The Speaker overruled the point of order.

Mr. Jones of Atascosa moved to table the amendment by Mr. Carssow.

The motion to table prevailed.

Mr. Derden moved the previous question on the amendment by Mr. Talbert, and the main question was ordered.

Question recurring on the amendment by Mr. Talbert, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas, 70; nays, 65.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

## Yeas—65

Adkins	Kelt
Baker	Knetsch
Bates	Langdon
Beckworth	Lankford
Bell	Lanning
Blankenship	London
Boethel	Mauritz
Bradbury	McDonald
Bridgers	McFarland
Brown	Moffett
Burton	Morris
Cagle	Morse
Cauthorn	Nicholson
Davison of Fisher	Palmer
Davison	Petsch
of Eastland	Powell
Derden	Prescott
Farmer	Quinn
Felty	Reed of Bowie
Fox	Roark
Hamilton	Ross
Hankamer	Rutta
Harrell	Settle
Harris of Archer	Simpson
Harris of Dickens	Skaggs
Holland	Stevenson
Howard	Stocks
Huddleston	Talbert
Johnson of Ellis	Tarwater
Jones of Wise	Tennant
Keefe	Tennyson

Thornton	Weldon
Walker	Worley
Nays—69	
Alexander	Keith
Alsup	Kenyon
Amos	King
Bond	Leath
Boyer	Leyendecker
Bradford	Loggins
Broadfoot	Mann
Callan	Mays
Carssow	McCracken
Cathey	McKee
Celaya	McKinney
Cleveland	Monkhouse
Colquitt	Newton
Davis of Jasper	Oliver
Deglandon	Patterson of Mills
Dickison	Patterson
Dollins	of Travis
Fielden	Pope
Fuchs	Reed of Dallas
Gibson	Rhodes
Hanna	Riddle
Hardin	Russell
Harper	Schuenemann
Harris of Dallas	Sewell
Heflin	Sharpe
Herzik	Shell
Hoskins	Smith of Hopkins
Hull	Smith
Hyder	of Matagorda
Jackson	Smith of Tarrant
James	Stinson
Johnson	Thornberry
of Tarrant	Vale
Jones of Angelina	Waggoner
Jones of Atascosa	Westbrook
Jones of Falls	Wood

## Absent

Davis of Haskell	Leonard
Dean	McConnell
England	Ragsdale
Graves	Reader
Hartzog	Winfree

## Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

The Speaker announced that the amendment was lost.

Mr. Jones of Wise offered the following amendment to the resolution:

Amend House Joint Resolution No. 10, by striking out in Section 1, page 1, line 40, the following:

"Providing that incumbents holding precinct, county and district offices at the time of adoption of this con-

stitutional amendment who were elected for a two (2) year term shall hold their respective offices for four (4) year terms," and insert in lieu thereof the following:

"Provided that the provisions hereof shall not be effective prior to January 1, 1939."

JONES of Wise,  
PETSCH,  
KNETSCH.

Mr. McKee raised a point of order, on further consideration of the amendment, on the ground that the amendment is in direct conflict with an amendment heretofore adopted.

The Speaker overruled the point of order.

Mr. Prescott moved the previous question on the pending amendment, and the passage of the resolution, and the motion was not seconded.

(Mr. Morris in the Chair.)

Mr. McKee moved to table the amendment by Mr. Jones of Wise.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas, 64; nays, 68.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

## Yeas—63

Alsup	Herzik
Blankenship	Hoskins
Boyer	Hull
Bradbury	Jackson
Bradford	James
Broadfoot	Johnson
Callan	of Tarrant
Carssow	Jones of Angelina
Cathey	Jones of Atascosa
Cleveland	Jones of Falls
Colquitt	Keith
Davis of Haskell	Kenyon
Davisson	King
of Eastland	Leath
Deglandon	Leonard
Dollins	Leyendecker
Fielden	Loggins
Hanna	Mann
Hardin	Mauritz
Harper	Mays
Harrell	McKee
Harris of Dallas	McKinney
Heflin	Monkhouse



Newton	Sewell
Oliver	Sharpe
Patterson of Mills	Smith of Hopkins
Patterson	Smith
of Travis	of Matagorda
Pope	Stinson
Prescott	Stocks
Reed of Dallas	Vale
Rhodes	Waggoner
Riddle	Winfree
Russell	Wood

## Nays—68

Adkins	Langdon
Amos	Lankford
Baker	Lanning
Bates	London
Beckworth	McConnell
Bell	McDonald
Boethel	McFarland
Bond	Moffett
Bridgers	Morris
Brown	Morse
Burton	Nicholson
Cagle	Palmer
Cauthorn	Petsch
Davison of Fisher	Powell
Derden	Quinn
England	Reed of Bowie
Farmer	Roark
Fox	Ross
Fuchs	Rutta
Gibson	Schuenemann
Hamilton	Settle
Hankamer	Shell
Harris of Archer	Simpson
Harris of Dickens	Skaggs
Hartzog	Stevenson
Holland	Talbert
Howard	Tarwater
Huddleston	Tennant
Hyder	Tennyson
Johnson of Ellis	Thornberry
Jones of Wise	Thornton
Keefe	Walker
Kelt	Weldon
Knetsch	Worley

## Absent

Alexander	Graves
Celaya	McCracken
Davis of Jasper	Ragsdale
Dean	Reader
Dickison	Smith of Tarrant
Felty	Westbrook

## Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

The Chair announced that the motion to table was lost.

## REASONS FOR VOTE

When the above amendment providing that the four year term would not operate to extend the present two year term to four years I voted "nay" on a motion to table the amendment, because I am not afraid to return my scroll of office to the people now, or at the next election or any other time.

McCONNELL.

Upon the statement of one of the sponsors of the resolution, to the following effect:

"The purpose of this amendment (H. J. R. No. 10) is to extend the terms of the present office-holders until 1940. If you adopt the amendment (not continuing the present office holders in office) you will nullify the purpose of the amendment."

And as I conceive the purpose of the resolution as being the granting of an opportunity to the electorate to determine whether they will hereafter elect their public servants for a term of two years or a term of four years, and not to extend any special favor to any person or group now in office, including myself, I voted "aye" upon all amendments offered which had as their purpose the elimination of the features which continue the present office holders in office and confine the issue purely to the matter of whether terms of office shall hereafter be two years or four years.

HOLLAND.

Mr. Petsch offered the following amendment to the amendment:

Amend the Jones of Wise amendment, by inserting after the figures "1939" the following words: "so that the first election for the four year terms shall take place in the year 1938."

PETSCH,  
JONES of Wise,  
KNETSCH.

Mr. McKee moved to table the amendment to the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

## Yeas—56

Amos	Boyer
Bates	Bradford
Blankenship	Broadfoot

Callan	Loggins
Carssow	Mann
Celaya	Mauritz
Cleveland	Mays
Colquitt	McCracken
Davisson	McKee
of Eastland	McKinney
Deglandon	Monkhouse
Dickison	Newton
Dollins	Oliver
Hanna	Patterson
Hardin	of Travis
Harper	Pope
Harrell	Prescott
Heflin	Reed of Dallas
Hull	Rhodes
Hyder	Riddle
James	Schuenemann
Johnson	Sewell
of Tarrant	Sharpe
Jones of Angelina	Shell
Jones of Falls	Smith of Hopkins
Keith	Smith of Tarrant
Kenyon	Vale
Leath	Waggoner
Leonard	Wood
Leyendecker	

## Nays—74

Adkins	Keefe
Alexander	Kelt
Alsup	Knetsch
Baker	Langdon
Beckworth	Lankford
Bell	Lanning
Boethel	London
Bond	McConnell
Bradbury	McDonald
Bridgers	McFarland
Brown	Moffett
Burton	Morse
Cagle	Nicholson
Cathey	Palmer
Cauthorn	Patterson of Mills
Davis of Haskell	Petsch
Davison of Fisher	Powell
Derden	Quinn
Farmer	Reed of Bowie
Fielden	Roark
Fox	Ross
Fuchs	Russell
Gibson	Simpson
Hamilton	Skaggs
Hankamer	Smith
Harris of Archer	of Matagorda
Harris of Dallas	Stevenson
Harris of Dickens	Stinson
Hartzog	Stocks
Herzik	Talbert
Holland	Tarwater
Huddleston	Tennant
Jackson	Tennyson
Johnson of Ellis	Thornberry
Jones of Atascosa	Thornton
Jones of Wise	Walker

Weldon	Worley
Winfree	
	Absent
Davis of Jasper	King
Dean	Morris
England	Ragsdale
Felty	Reader
Graves	Rutta
Hoskins	Settle
Howard	Westbrook
	Absent—Excused
Harbin	Lucas
Kern	Metcalfe
Little	

Question recurring on the amendment, by Mr. Petsch, to the amendment, it was adopted.

Mr. McKee moved to table the amendment as amended.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas, 70; nays, 64.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

## Yeas—69

Alsup	Hyder
Amos	James
Blankenship	Johnson
Boyer	of Tarrant
Bradford	Jones of Angelina
Broadfoot	Jones of Atascosa
Callan	Jones of Falls
Carssow	Keith
Cathey	Kenyon
Celaya	Leath
Cleveland	Leonard
Colquitt	Leyendecker
Davis of Haskell	Loggins
Davisson	Mann
of Eastland	Mauritz
Deglandon	Mays
Dickison	McCracken
Dollins	McKee
Fielden	McKinney
Hanna	Monkhouse
Hardin	Newton
Harper	Oliver
Harrell	Patterson of Mills
Harris of Dallas	Patterson
Heflin	of Travis
Herzik	Pope
Hoskins	Prescott
Hull	Reed of Dallas

Rhodes	Smith
Riddle	of Matagorda
Russell	Smith of Tarrant
Schuenemann	Stinson
Sewell	Thornberry
Sharpe	Vale
Shell	Waggoner
Smith of Hopkins	Winfree
	Wood

## Nays—65

Adkins	King
Alexander	Knetsch
Baker	Langdon
Bates	Lankford
Beckworth	Lanning
Bell	London
Boethel	McConnell
Bond	McDonald
Bradbury	McFarland
Bridgers	Moffett
Brown	Morse
Burton	Nicholson
Cagle	Palmer
Cauthorn	Petsch
Davison of Fisher	Powell
Derden	Quinn
England	Reed of Bowie
Farmer	Roark
Fox	Ross
Fuchs	Settle
Gibson	Simpson
Hamilton	Skaggs
Hankamer	Stevenson
Harris of Archer	Stocks
Harris of Dickens	Talbert
Hartzog	Tarwater
Holland	Tennant
Howard	Tennyson
Huddleston	Thornton
Johnson of Ellis	Walker
Jones of Wise	Weldon
Keefe	Worley
Kelt	

## Absent

Davis of Jasper	Morris
Dean	Ragsdale
Felty	Reader
Graves	Rutta
Jackson	Westbrook

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

The Chair announced that the motion to table prevailed.

Question—Shall House Joint Resolution No. 10 be passed?

## HOUSE BILLS ON FIRST READING

Mr. Keith moved to introduce, at this time, and have placed on first reading, House Bill No. 1098.

The motion prevailed by the following vote:

Yeas—128

Adkins	Johnson
Alexander	of Tarrant
Alsup	Jones of Angelina
Amos	Jones of Atascosa
Baker	Jones of Falls
Beckworth	Jones of Wise
Bell	Keefe
Blankenship	Keith
Boyer	Kelt
Bradbury	Kenyon
Bradford	King
Bridgers	Knetsch
Broadfoot	Langdon
Brown	Lankford
Burton	Lanning
Cagle	Leath
Callan	Leonard
Carssow	Leyendecker
Cathey	London
Cauthorn	Mann
Celaya	Mauritz
Cleveland	Mays
Colquitt	McConnell
Davis of Haskell	McFarland
Davis of Jasper	McKee
Davison of Fisher	McKinney
Davisson	Moffett
of Eastland	Morse
Deglandon	Newton
Derden	Nicholson
Dickison	Oliver
Dollins	Palmer
England	Patterson of Mills
Farmer	Patterson
Felty	of Travis
Fielden	Pope
Fox	Powell
Fuchs	Prescott
Gibson	Reed of Bowie
Hamilton	Reed of Dallas
Hankamer	Rhodes
Hanna	Riddle
Hardin	Roark
Harper	Ross
Harrell	Russell
Harris of Archer	Schuenemann
Harris of Dallas	Settle
Harris of Dickens	Sewell
Hartzog	Sharpe
Heflin	Shell
Herzik	Simpson
Holland	Skaggs
Hoskins	Smith of Hopkins
Howard	Smith
Huddleston	of Matagorda
Hull	Smith of Tarrant
Hyder	Stevenson
Jackson	Stinson
James	Stocks
Johnson of Ellis	Talbert
	Tarwater

Tennant	Walker	Fox	Newton
Tennyson	Weldon	Gibson	Nicholson
Thornberry	Westbrook	Hamilton	Oliver
Thornton	Wood	Hankamer	Palmer
Vale	Worley	Hanna	Patterson of Mills
Waggoner		Hardin	Patterson
	Absent	Harper	of Travis
		Harrell	Pope
Bates	Monkhouse	Harris of Archer	Powell
Boethel	Morris	Harris of Dallas	Prescott
Bond	Petsch	Harris of Dickens	Reed of Bowie
Dean	Quinn	Hartzog	Reed of Dallas
Graves	Ragsdale	Howard	Rhodes
Loggins	Reader	Huddleston	Riddle
McCracken	Rutta	Hull	Roark
McDonald	Winfree	Hyder	Ross
	Absent—Excused	Jackson	Russell
		James	Schuenemann
Harbin	Lucas	Johnson of Ellis	Settle
Kern	Metcalf	Johnson	Sewell
Little		of Tarrant	Sharpe
		Jones of Angelina	Shell
		Jones of Atascosa	Simpson
		Jones of Wise	Skaggs
		Keefe	Smith of Hopkins
		Keith	Smith
		Kelt	of Matagorda
		Kenyon	Smith of Tarrant
		King	Stinson
		Knetsch	Stocks
		Langdon	Talbert
		Lankford	Tarwater
		Lanning	Tennant
		Leath	Tennyson
		Leonard	Thornberry
		Leyendecker	Thornton
		Loggins	Vale
		London	Waggoner
		Mann	Walker
		Mauritz	Weldon
		Mays	Westbrook
		McConnell	Winfree
		McKee	Wood
		Moffett	Worley
		Morse	
			Absent
		Boethel	Jones of Falls
		Bond	McCracken
		Broadfoot	McDonald
		Cleveland	McFarland
		Davis of Jasper	McKinney
		Davison of Fisher	Monkhouse
		Dean	Morris
		Felty	Petsch
		Fuchs	Quinn
		Graves	Ragsdale
		Heflin	Reader
		Herzik	Rutta
		Holland	Stevenson
		Hoskins	
			Absent—Excused
		Harbin	Lucas
		Kern	Metcalf
		Little	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Keith, Mr. Waggoner and Mr. Burton:

H. B. No. 1098, A bill to be entitled "An Act amending Article 1645 as amended by the Revised Civil Statutes of 1925, so as to permit the County Auditor in certain counties to act as purchasing agent therein on order of the Commissioners Court, authorizing the Commissioners' Court to fix his compensation therefor, providing for the payment thereof, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Hardin moved to introduce, at this time, and have placed on first reading, House Bill No. 1099.

The motion prevailed by the following vote:

Yeas—116

Adkins	Callan
Alexander	Carssow
Alsup	Cathey
Amos	Cauthorn
Baker	Celaya
Bates	Colquitt
Beckworth	Davis of Haskell
Bell	Davison
Blankenship	of Eastland
Boyer	Deglandon
Bradbury	Derden
Bradford	Dickison
Bridgers	Dollins
Brown	England
Burton	Farmer
Cagle	Fielden

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Hardin:

H. B. No. 1099, A bill to be entitled "An Act providing relief for the Prairie Hill Independent School District of Limestone County, Texas, in replacing buildings and equipment that have become dilapidated and unfit for use; making an appropriation for said District to replace said buildings and equipment, and declaring an emergency."

Referred to the Committee on Appropriations.

#### BILL ORDERED NOT PRINTED

On motion of Mr. Leath, House Bill No. 1096 was ordered not printed.

#### ADDRESS BY HONORABLE R. H. FONVILLE, MAYOR OF HOUSTON

In accordance with the provisions of a resolution heretofore adopted, extending an invitation to the Mayor of the City of Houston to address the House, Speaker Calvert announced the appointment of the following committee to escort the visitor to the Speaker's stand: Messrs. Morse, Mann, Winfree, Heflin and Howard.

The committee having performed their duty, Speaker Calvert presented Mr. Winfree, who in turn, introduced Mayor R. H. Fonville of the City of Houston.

Mayor Fonville then addressed the House and extended an invitation to the Members of the House to be the guest of the City of Houston on next April 21st.

#### RECESS

On motion of Mr. Roark, the House, at 5:20 o'clock p. m., took recess until 7:30 o'clock p. m., today.

#### NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

#### HOUSE BILL NO. 86 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 86, A bill to be entitled "An Act requiring taxes to be paid on the listed and rendered value in order to prevent the accrual of penalty and interest; further requiring the payment of such taxes on the listed and rendered value by the owner as a condition to resisting the valuation fixed by the Board of Equalization, in any court; further authorizing the Tax Assessor and Collector to receive the taxes based on the listed and rendered value and to issue a special receipt therefor; further directing the State Comptroller to prescribe and furnish the form for such special receipt; further allowing the owner thirty days after the effective date of this Act within which to pay delinquent taxes based on the listed and rendered value of the property; further providing that this Act shall not in any wise affect or impair the rights of the State, county or other political subdivision to the taxes, penalty and interest accruing on the property valuation over and above the rendered and listed value; further providing that the provisions of this Act are severable; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 196 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 196, A bill to be entitled "An Act providing for the registration of dogs and for a tax on same; prohibiting unregistered dogs from running at large; prohibiting dogs not muzzled from running at large during the night-time; providing conditions under which certain dogs may be killed; making it unlawful to own and keep a dog not registered; prescribing conditions under which poison may be put out for dogs; prescribing the rate of tax and for use and distribution of such fund; prescribing a penalty for violation of this Act; providing a method by which this Act may be made effective in counties; providing a saving clause in case any part of this Act be held invalid; repealing any and all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Adkins offered the following committee amendment to the bill:

Amend House Bill No. 196, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. From and after the effective date of this Act, it shall be unlawful for the owner or any person having control of any dog, six (6) months or more of age to permit or allow said dog to run at large, unless such dog shall have been by such owner or person having control of said dog duly registered with the County Treasurer of the County in which said dog runs at large and shall have securely fastened about its neck a dog identification tag showing its registration and duly assigned to said dog by the County Treasurer of said County in the manner hereinafter set forth. It shall be the duty of the Commissioners Court to furnish the County Treasurer the necessary dog identification tags numbered consecutively from one up and each such identification tag shall, also, have printed or impressed on it the name of the County in which said tag is issued. At the time any dog is registered hereafter under the provisions of this Act, it shall be the duty of the County Treasurer to assign to such dog a registration number and deliver to the owner or person having control of said dog the necessary dog identification tag as herein provided for. The County Treasurer shall, also, issue to the person registering any dog a certificate showing that said dog has been duly registered under this Act.

"The County Treasurer shall likewise be furnished with a substantial and well-bound book for registration of dogs which book shall show the age, breed, color, and sex of each dog so registered, together with the date of registration.

"Sec. 2. From and after the effective date of this Act it shall be unlawful for the owner of any dog to allow such dog to run at large between sunset and sunrise of the following day, unless such dog have securely fastened about his mouth a leather or metallic muzzle as will effectively prevent such dog from killing or injuring sheep, goats, calves or other domestic animals or fowls.

"Sec. 3. Any dog, whether registered and tagged or not, when found attacking any sheep, goats, calves

and/or other domestic animals or fowls, or which has recently made, or is about to make such attack on any sheep, goats, calves and/or other domestic animals and fowls may be killed by anyone present and witnessing or having knowledge of such attack and without liability in damage to the owner of such dog. Any dog, whether registered and tagged or not, known or suspected to be a killer of sheep, goats, calves, or other domestic animals or fowls is hereby declared to be a public nuisance and such dog may be detained or impounded by any person until the owner may be notified, and until all damage done by said dog shall have been determined and paid to the proper parties. Any dog known to have attacked, killed or injured any sheep, goat, calf or other domestic animal or fowl shall be killed by the owner of such dog, and upon failure of such owner so to do, any sheriff, deputy sheriff, constable, police officer, magistrate or County Commissioner is authorized to kill such dog, and such officer is further authorized to go upon the premises of the owner of such dog for such purpose.

"The owner of any sheep, goats or other domestic animals, subject to the ravages of sheep-killing dogs, may place poison on the premises where such sheep, goats and other domesticated animals are kept, after posting notices of such poison at each place of entrance to said premises.

"Sec. 4. Each dog so registered shall be subject to a tax of One (\$1.00) Dollar which shall be paid to the County Treasurer at the time of such registration and shall cover the costs of registration and identification tag, and shall be good for the period of one (1) year from date of such registration. Upon the removal of a dog from one county to another, the owner may present his registration certificate to the County Treasurer of the county to which such dog is removed and receive without additional cost a registration certificate effective to the end of the year for which such dog was registered in the other county and likewise in any other county to which such dog may be removed. The tax so collected shall be placed in a special fund and shall be used only for defraying the expenses of administration of this Act in such county and for reimbursing the owner or owners of sheep, goats, calves

and/or other domestic animals and/or fowls that may have been killed in such county by dogs not owned by the person seeking reimbursement. Such payment shall be made on order of the Commissioners Court and only on satisfactory proof. Such payment shall be made in the amount, and at such time as the said Commissioners Court may determine, and in the event that such fund shall be insufficient to reimburse all injured parties in full, payment shall be made pro rata. The County Treasurer shall keep an accurate record showing all amounts coming into said fund and disbursements therefrom. Provided, that any dog brought into the county for breeding purposes, trial or show for a period of not exceeding ten (10) days shall not be required to be registered. Provided further, that upon sale or transfer of ownership of a dog, the registration certificate shall be transferred to the new owner.

"Sec. 5. The owner of any dog who shall wilfully fail or refuse to register such dog, or who shall wilfully fail or refuse to allow a dog to be killed when ordered by the proper authorities so to do, or who shall wilfully violate any provision of this Act, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not exceeding One Hundred (\$100.00) Dollars, or by confinement in the county jail for not more than thirty (30) days, or by both such fine and imprisonment.

"Sec. 6. This Act shall not be effective in any county, unless and until the qualified property tax paying voters of such county by a majority vote at an election held for such purposes, shall have voted therefor. Upon a petition signed by one hundred (100), or a majority of the qualified, property tax paying voters of a county, the Commissioners Court shall order an election to be held throughout such county in not less than ten (10) nor more than twenty (20) days to determine whether or not the registration of, and the tax on dogs shall be required in such county. At such election, those favoring the putting into force of this law in such county shall have written or printed on their ballots the words: "For Registration of and Tax on Dogs" and those opposed to the proposition shall have written or printed on their ballots the words: "Against the Registration of and Tax on Dogs." If a majority

of those voting at such election shall be in favor of such registration and tax, then such law shall become effective within ten (10) days from the date on which the result of such election shall have been declared. Returns of such election shall be made by the presiding officers of same within three (3) days after such election, and in duplicate to the County Judge and County Clerk. The Commissioners Court shall canvass such returns and declare the result not later than the first Monday after such returns are made, and if the vote be in favor of the registration of, and tax on dogs, then the County Judge shall issue his proclamation declaring the result of said election and putting the same into force and effect in said county, which proclamation shall be published one time in a newspaper of general circulation in the English language in said county. But if there be no newspaper in the English language and of general circulation published in said County, then such proclamation shall be posted at the Courthouse door.

"When an election under this section shall have been held and the result of same has been adverse to the registration of, and tax on dogs, then no other election shall be held on the same subject for a period of six (6) months. But if the result shall be for the registration of, and tax on dogs, then no election for the repeal of same shall be held for a period of two (2) years. The returns of such election shall be preserved for one (1) year after such election.

"When an election, under this Act, shall have been held and the results shall be for the registration of and tax on dogs, each owner or person having control of any dog of the age of six (6) months or more, in said county shall, within thirty (30) days from the date of the proclamation, herein provided for, register said dog with the County Treasurer of said County under the provisions of this law.

"Sec. 7. If any provision, paragraph or sentence of this law shall be held invalid, such invalidity shall not affect or invalidate the remaining provisions, paragraphs and sentences of this Act.

"Sec. 8. Any and all laws in conflict herewith are hereby expressly repealed.

"Sec. 9. The fact that in many

counties in this State many owners of sheep, goats and other domestic animals and fowls are suffering losses from the ravages and depredations of dogs, and the present laws are inadequate to afford protection and reimbursement against and for such losses, creates an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended and that this Act be in force and effect from and after its passage, and it is so enacted."

Mr. Adkins offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 196, by inserting the following immediately after the period in line 3, page 8 of the printed amendment:

"Notice of such election shall be given by the publication of said notice one time in a newspaper of general circulation in the English language in said county. But if there be no newspaper in the English language and of general circulation published in the said county, then such notice shall be posted at the Court House door for a period of not less than one week before such election."

The amendment was adopted.

The amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 196 was then passed to engrossment.

#### HOUSE BILL NO. 389 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 389, A bill to be entitled "An Act amending Title 14, Chapter 5 of the Revised Criminal Statutes of the State of Texas of 1925, as amended by Acts of the Regular Sessions of the Forty-first and Forty-second Legislatures of the State of Texas by adding the following new Article, numbered as follows: Article 1037b, to regulate the packing and marking of packages and containers; requiring the net quantity of contents of such packages and containers to be plainly and conspicuously marked on the outside of

package or container; providing for certain variations in weight; prohibiting deceptive pack; defining certain terms; providing penalties for the enforcement of the Act, and declaring an emergency."

The bill was read second time.

Mr. Amos offered the following committee amendment to the bill:

Amend House Bill No. 389, by striking out all below the enacting clause and inserting in lieu thereof, the following:

Section 1. That Title 14, Chapter 5 of the Revised Criminal Statutes of the State of Texas of 1925, as amended, be and the same is hereby further amended by adding a new Article numbered 1037b, as follows:

"Article 1037b. (Section 1) It shall be unlawful to keep for the purpose of sale, offer or expose for sale, or sell, any commodity in package form unless the net quantity of the contents be plainly and conspicuously marked on the outside of the package, in terms of weight, measure, or numerical count: Provided, however, that reasonable variations shall be permitted and also exemptions as to small packages, which shall conform to the provisions of (Section 2) of this Article: And provided further, that this Article shall not be construed to apply to those commodities in package form, the manner of sale of which is specifically regulated by the provision of other Statutes.

(Section 2) (a) Except as otherwise provided by this Article, a package of commodity shall be plainly and conspicuously marked with the quantity of the contents in terms of weight, measure, or numerical count, on the outside of the covering or container usually delivered to customers.

(b) The quantity of the contents so marked shall be the amount in the package.

(c) The statement of the quantity of the contents shall be plain and conspicuous, shall not be a part of or obscured by any legend or design, and shall be so placed and in such characters as to be readily seen and clearly legible when the size of the package and the circumstances under which it is ordinarily examined by purchasers or consumers are taken into consideration. The statement of the quantity of the contents of packages of textile materials may be



placed upon a wrapping, a band, or a tag attached thereto.

(d) If the quantity of the contents be stated by weight or measure, it shall be marked in terms of the largest unit contained in the package, except that, in the case of an article with respect to which there exists a definite trade custom for marking the quantity of the article in terms of fractional parts of larger units, it may be so marked in accordance with the custom. Common fractions shall be reduced to their lowest terms; decimal fractions shall be preceded by zero and shall be carried out to not more than two places.

(e) Statements of weight shall be in terms of avoirdupois pounds and ounces; statements of length shall be in terms of the United States yard and its customary subdivisions, i. e., in yards, feet, or inches; statements of liquid measure shall be in terms of the United States gallon of 231 cubic inches and its customary subdivisions, i. e., in gallons, quarts, pints, or fluid ounces, and shall express the volume of the liquid at 68° F. (20° C.); and statements of dry measure shall be in terms of the United States standard bushel of 2150.42 cubic inches and its customary subdivisions, i. e., in half bushels, pecks, quarts, or pints, or, in the case of articles in barrels, in terms of the United States standard barrel and its lawful subdivisions, i. e., third, half, or three-quarters barrel, as fixed by the Act of March 4, 1915 (38 United States at Large, page 1186): Provided, that statements of quantity may be in terms of metric weight or measure. Statements of metric weight shall be in terms of kilograms or grams. Statements of metric measure shall be in terms of liters or centiliters. Statements of metric length shall be in terms of meters or centimeters. Provided, that other terms of metric weight or measure may be used if it appears that definite trade custom exists for marking articles with such other terms and the articles are marked in accordance with the custom.

(f) The quantity of solids shall be stated in terms of weight, of dry measure, of linear measure, or of numerical count, and of liquids in terms of liquid measure, except that in the case of an article in respect to which there exists a definite trade custom otherwise, the statement may

be in terms of weight or measure in accordance with such custom. The quantity of viscous or semi-solid commodities, or of mixtures of solids and liquids, may be stated either by weight or measure, but the statement shall be definite and shall indicate whether the quantity is expressed in terms of weight or measure, as, for example, "weight 12 oz.," or "12 oz. avoirdupois," "volume 12 ounces," or "12 Fluid ounces." The quantity of textile materials shall be stated in terms of linear measure, except that in the case of a commodity in respect to which there exists a definite trade custom otherwise, the statement may be in terms of weight in accordance with such custom.

(g) The quantity of the contents shall be stated in terms of weight or measure unless the package be marked by numerical count and such numerical count gives accurate information as to the quantity in the package.

(h) The quantity of the contents may be stated in terms of minimum weight, minimum measure, or minimum count, for example, "minimum weight 10 oz.," "minimum volume 1 gallon," or "not less than 4 fluid oz.;" but in such case the statement must approximate the actual quantity and there shall be no variation below the stated minimum.

(i) The following classes of variations from the quantity of the contents marked on the package shall be allowed:

(1) Discrepancies due exclusively to errors in weighing, measuring, or counting which occur in packing conducted in compliance with good commercial practice.

(2) Discrepancies due exclusively to differences in the capacity of bottles and similar containers, resulting solely from unavoidable difficulties in manufacturing such bottles or containers so as to be of uniform capacity: Provided, that no greater variation shall be allowed in case of bottles or similar containers which, because of their design, cannot be made of approximately uniform capacity than is allowed in case of bottles or similar containers which can be manufactured so as to be of approximately uniform capacity.

(3) Discrepancies in weight or measure, due exclusively to differences in atmospheric conditions in various places, and which unavoidably

result from the ordinary and customary exposure of the packages to evaporation or to the absorption of water.

The average net quantity, contained in packages examined for discrepancies under classes (1) and (2) of this paragraph, shall closely approximate and shall not be less than the marked quantity. The reasonableness of discrepancies under class (3) of this paragraph shall be determined on the facts in such case.

(j) A package containing one-half avoirdupois ounce or less is "small" and shall be exempt from marking in terms of weight.

(k) A package containing one fluid ounce or less is "small" and shall be exempt from markings in terms of measure.

(l) When a package is not required by paragraph (g) to be marked in terms of either weight or measure, and the units therein are six or less, it shall, for the purpose of this Article, be deemed "small" and shall be exempt from markings in terms of numerical count.

(Section 3) It shall be unlawful to keep for the purpose of sale, offer or expose for sale, or sell any commodity in package form if its container is so made, formed, or filled, or if it is so wrapped, as to mislead the purchaser as to the quantity of the contents; or if the contents of its container fall below the standard of fill prescribed by regulations promulgated as provided in this section. For the effectuation of the purposes of this section the Commissioner of Agriculture is hereby authorized to promulgate regulations fixing and establishing for any commodity in package form a standard of fill of container, which in his best judgment is reasonable with respect to the physical characteristics of the commodity, the size, shape, and physical characteristics of the container, prevailing methods of handling and transportation of packages, and generally accepted good commercial practice in filling methods.

(Section 4) The words "in package form" as used in this Article shall be construed to include a commodity in package, carton, case, can, box, bag, barrel, bottle, phial, or on a spool or similar holder, or in a container or band, or in a roll, ball, coil, skein, or other receptacle, or in cov-

erings or wrappings of any kind, put up by the manufacturer, or, when put up prior to the order of the commodity, by the vendor, which may be suitable for labeling, branding, or stenciling, or marking otherwise, making one complete package of the commodity. The words "in package form" shall be construed to include both the wholesale and the retail package.

The word "person" as used in this Article shall be construed to import both the plural and singular, as the case demands, and shall include partnerships, corporations, companies, societies, and associations.

(Section 5) Any person who by himself, or by his servant or agent, or as the servant or agent of another person, shall sell, offer or expose for sale, any commodity in package form contrary to the provisions of this Article, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$20.00 or more than \$100.00 upon the first conviction in any court of competent jurisdiction; and upon a second or subsequent conviction in any court of competent jurisdiction he shall be punished by a fine of not less than \$50.00 nor more than \$200.00.

Section 2. House Bill No. 110, Chapter 53, Acts of the Third Called Session of the Thirty-eighth Legislature, and all laws and parts of laws in conflict with this Act are hereby repealed.

Section 3. The fact that many commodities are being sold in this State in package form without the net quantity of content being marked thereon, and the further fact of the crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 389 was then passed to engrossment.

## HOUSE BILL NO. 392 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 392, A bill to be entitled "An Act amending Article 1436, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 442 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 442, A bill to be entitled "An Act amending Article 304, Revised Civil Statutes, 1925, creating a Board of Legal Examiners to consist of seven (7) lawyers providing for the qualifications of its members, for their term of office, method of appointment and removal, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## SENATE BILL NO. 317 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 317, A bill to be entitled "An Act making it unlawful to use or possess a seine, net or trawl in certain waters of Nueces County, and declaring an emergency."

The bill was read second time.

Mr. Pope offered the following amendments to the bill:

Amend Senate Bill No. 317, by adding after the words "Mustang Island" first appearing in Section 1, the following: "one mile north of Corpus Christi Pass".

Amend Senate Bill No. 317, by adding after the word "Act" at the end of the third paragraph of Section 1, the following: "as closed".

Amend Senate Bill No. 317, by striking out of the fourth paragraph of Section 1, the following words: "in a channel while".

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 317 was then passed to third reading.

## SENATE BILL NO. 226 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 226, A bill to be entitled "An Act to increase the police powers of all incorporated cities and towns, and declaring an emergency."

The bill was read second time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 226 was then passed to third reading.

## SENATE BILL NO. 338 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 338, A bill to be entitled "An Act to amend Article 6068 of the Revised Civil Statutes of Texas, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 339 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 339, A bill to be entitled "An Act amending Article 6067 of the Revised Civil Statutes of Texas, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 362 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 362, A bill to be entitled "An Act providing for the payment of warrants and vouchers issued by towns and cities in the State of Texas for funds received and used by such towns and cities in a sum not to exceed Eight Thousand (\$8,000.00) Dollars prior to June 1, 1932, and applying to such warrants and vouchers issued as renewals of such original warrants and vouchers, and declaring an emergency."

The bill was read second time, and was passed to third reading.

**SENATE BILL NO. 376 ON SECOND  
READING**

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 376, A bill to be entitled "An Act to amend Article 6069, Revised Civil Statutes of Texas, relating to the duties of the State Parks Board, and declaring an emergency."

The bill was read second time, and was passed to third reading.

**HOUSE BILL NO. 529 ON SECOND  
READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 529, A bill to be entitled "An Act providing that the governing boards of all institutions of collegiate rank supported in whole or in part by funds of the State of Texas shall exempt all citizens of Texas who are the children of men and women who died in active service during the World War or from disability incurred in the line of duty during said war from the payment of all dues, fees and charges whatsoever for tuition; providing that such citizens shall submit satisfactory evidence of his status, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

**HOUSE BILL NO. 538 ON SECOND  
READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 538, A bill to be entitled "An Act to authorize the sale of additional portions of Harbor Island and other islands in Redfish Bay, Corpus Christi Bay and Aransas Bay and certain lands under the shallow waters of Redfish Bay, Corpus Christi Bay and Aransas Bay with certain restrictions; to authorize the extension by the present owners or their successors and assigns of the original purchase from the State of Texas of such lands under the terms of an act known as the Act of March 13th, 1911, and being Chapter 45 of the Acts of the Thirty-second Legislature of Texas; reserving the oil, gas and other minerals in and under said lands so additionally purchased together with the right of ingress and

egress for the purpose of mining and producing the same; providing that the sale and ownership of such land so additionally purchased shall be subject to all existing laws of the State of Texas, and declaring an emergency."

The bill was read second time.

Mr. Pope offered the following committee amendment to the bill:

Amend House Bill No. 538, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That the Commissioner of the General Land Office is hereby authorized and directed to sell additional portions of Harbor Island and other island belonging to the State of Texas located in Corpus Christi Bay, Aransas Bay and Redfish Bay and certain islands and flats covered by the waters of Redfish Bay, Corpus Christi Bay, and Aransas Bay on terms and conditions in which the limitations hereinafter provided to any person, firm or corporation now holding or owning any land under the terms of an Act of March 13th, 1911, known as Chapter 45 of the Acts of the Thirty-second Legislature.

Section 2. Such extension of purchase and the land so to be purchased shall be surveyed by extending from the present back lines of the land now held under the terms of said Act the side lines of such land for a distance not exceeding four thousand feet (4,000 ft.) and by closing the survey by running a line parallel to the present back line between said extending lines so that the extension shall be upon the same base as the frontage now held by said purchaser.

Section 3. Any person, firm or corporation now holding any land purchased under the terms of said Act may purchase from the State of Texas at Two (\$2.00) Dollars per acre such additional land, provided however, that such purchase shall be only for the purposes enumerated in said Act of March 13th, 1911, and shall not extend to the oil, gas or other minerals in and under said land, but the same shall be reserved to the State of Texas.

Section 4. Any person, firm or corporation desiring to purchase any such land in addition to the land now held by it shall file an application with the Commissioner of the General Land Office which application

shall particularly describe by field notes the land sought to be purchased, and a brief description of the land now held by such purchaser and a statement of the purpose to which the land now held is put and a further statement that the land to be purchased is to be used for the extension of the use to which the land now held is subjected. At the time of filing such application such applicant shall pay or cause to be paid to the Commissioner of the General Land Office the sum of Two (\$2.00) Dollars per acre in cash for all the land included in such application. Such application shall also be accompanied by an affidavit of the applicant to the effect that the party so applying to purchase has not combined or will not combine with any other person, firm or corporation so as to establish a monopoly over said harbor or any of its improvements authorized under this Act or under said Act of March 13th, 1911. Upon the approval of the form of such application by the Commissioner of the General Land Office and of the payment of said sum of Two (\$2.00) Dollars per acre as above provided a patent shall issue from the State of Texas to the said applicant or the heirs, successors or assigns of such applicant.

Section 5. This Act shall not apply to Mustang Island, Ramson Island or St. Joseph's Island, or to any part thereof.

Section 6. All Laws of the State of Texas now in effect and particularly said Act of March 13th, 1911, shall apply to such purchase and sale except as herein provided, and except that it shall not be necessary to actually erect improvements upon the additional land purchased or to furnish proof of such improvements in order to secure such purchase and in order for patent to issue for the land so purchased; and except that the manner of making survey and of locating the land to be purchased and the filing and approving application therefor shall be as hereinabove stated.

Section 7. The fact that the traffic upon Harbor Island and the tonnage handled through said port have vastly increased and, it is anticipated by this Legislature, will increase greatly in the near future and that it is of vital interest to the commerce of the State to build up and extend

the facilities for handling commerce on Harbor Island and through the port thereof, and the delay in securing proper facilities therefor may seriously hamper such commerce, constitutes an emergency and creates an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect, and be in force from and after its passage, and it is so enacted."

Amend House Bill No. 538, by striking out all above the enacting clause and inserting in lieu thereof the following:

"H. B. No. 538

#### A BILL

#### To Be Entitled

An Act to authorize the sale of additional portions of Harbor Island and other islands in Redfish Bay, Corpus Christi Bay and Aransas Bay and certain lands under the shallow waters of Redfish Bay, Corpus Christi Bay and Aransas Bay with certain restrictions; to authorize the extension by the present owners or their successors and assigns of the original purchase from the State of Texas of such lands under the terms of an Act known as the Act of March 13th, 1911, and being Chapter 45 of the Acts of the Thirty-second Legislature of Texas; providing exceptions; reserving the oil, gas and other minerals in and under said lands so additionally purchased together with the right of ingress and egress for the purpose of mining and producing the same; providing that the sale and ownership of such land so additionally purchased shall be subject to all existing laws of the State of Texas, and declaring an emergency."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 538 was then passed to engrossment.

#### HOUSE BILL NO. 637 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 637, A bill to be entitled "An Act to make the laws of Texas

relating to the National Guard compatible with the Constitution and laws of the United States as required by Section 46 of Article XVI of the Constitution of Texas, by amending the following Articles of the Civil Statutes of Texas as revised in the year 1925: Article 5780 so as to permit maintenance of all the troops allocated to Texas under Federal Law; Article 5839 so as to make nomenclature conform to Federal Law, and Article 5858 so as to make offenses condemned by military law and courts-martial procedure conform to that of Federal Law and regulations; to repeal any and all laws in conflict herewith."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 650 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 650, A bill to be entitled "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds; validating such bonds and the tax levies made for the payment of such bonds; providing the provisions hereof shall not apply to any such proceedings or obligations the validity of which has been contested in any pending suit or litigation, and declaring an emergency."

The bill was read second time.

Mr. Beckworth offered the following committee amendments to the bill:

Amend House Bill No. 650, by striking out all of Section 1, and inserting in lieu thereof the following:

"Section One. That proceedings heretofore had by the governing bodies of all cities and towns, including home rule cities, with a population of not less than 2,635 inhabitants and not more than 2,645 inhabitants, and in counties with a population of not less than 10,060 inhabitants and not more than 10,070 inhabitants, in the State of Texas, according to the last Federal Census, in the issuance and sale of bonds, in which the only objection to the validity of said bonds is that the notice of election was not published for the proper length of time, are hereby in that respect fully validated, confirmed, approved and legalized, and all bonds issued thereunder are hereby declared to be the valid and binding obligations of such

cities or towns, and all bonds which have been heretofore authorized for said purpose but not yet issued shall, when delivered and paid for, constitute valid and binding obligations of such city or town. All tax levies made by such governing bodies for the purpose of paying the principal of and interest on such bonds, notes or warrants are hereby in all things validated, confirmed, approved and legalized."

DERDEN.

Amend House Bill No. 650, by striking out all above the enacting clause, and inserting in lieu thereof the following:

#### A BILL To Be Entitled

An Act validating and approving all acts of the governing bodies of cities and towns, including home rule cities, with a population of not less than 2,635 inhabitants and not more than 2,645 inhabitants, and in counties with a population of not less than 10,060 inhabitants and not more than 10,070 inhabitants, in the State of Texas, in the issuance of and sale of bonds; validating such bonds and the tax levies made for the payment of such bonds, providing the provisions hereof shall not apply to any such proceedings or obligations the validity of which has been contested in any pending suit or litigation, and declaring an emergency.

DERDEN.

The amendments were severally adopted.

House Bill No. 650 was then passed to engrossment.

#### HOUSE BILL NO. 668 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 668, A bill to be entitled "An Act appropriating the fund provided for the use and benefit of the Comptroller in the administration and enforcement of the provisions of the Act as provided for in Section 9 of House Bill 89, Chapter 353, Acts of the Regular Session of the Forty-fourth Legislature, for the use and benefit of the Comptroller in the administration of said Act from and after May 30, 1937, for the remainder of the fiscal year ending August 31, 1937, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 673 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 673, A bill to be entitled "An Act to amend Acts, 1925, Thirty-ninth Legislature, page 204, Chapter 59; Acts, 1927, Fortieth Legislature, First Called Session, page 206, Chapter 78, paragraph 3, wherein taxes of a rural high school district may be assessed and collected by the county tax assessor and collector at the same rate of compensation as that paid by common school districts."

The bill was read second time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 673 was then passed to engrossment.

#### HOUSE BILL NO. 686 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 686, A bill to be entitled "An Act authorizing and directing the Governor to enter into a compact on behalf of the State of Texas with any of the United States legally joining therein; declaring the source of authority to be an Act of the United States Congress; . . . etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 711 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 711, A bill to be entitled "An Act amending Article 7005, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1927, Fortieth Legislature, page 156, Chapter 105; Acts, 1931, Forty-second Legislature, page 755, Chapter 299; Acts, 1931, Forty-second Legislature, page 852, Chapter 360; Acts, 1933, Forty-third Legislature, page 14, Chapter 10; Acts, 1933, Forty-third Legislature, Special Law, page 59, Chapter 49; Acts, 1933,

Forty-third Legislature, page 636, Chapter 213; and an Act amending Article 7008, Section 2, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, First Called Session, page 73, Chapter 33, and declaring an emergency."

The bill was read second time.

Mr. Davison of Fisher offered the following committee amendments to the bill:

Amend House Bill No. 711, by striking out Section 2 and inserting the following:

"Section 2. That Article 7008, Section 2, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, First Called Session, page 73, Chapter 33, be and the same is hereby amended so that it shall hereafter read as follows:

"Provided this Act does not apply to the following counties in Texas: Bowie, Marion, Morris, Titus, Cass, Brewster, Crockett, El Paso, Hudspeth, Culberson, Ward, Reeves, Winkler, Ector, Midland, Glasscock, Reagan, Upton, Crane, Real, Sutton, Edwards, Kinney, Val Verde, Terrell, Presidio, Jeff Davis, Pecos, Uvalde, Medina, Maverick, Taylor, Scurry, Eastland, Callahan, Throckmorton, Nolan, Fisher, Jones, Shackelford, Haskell, Stephens, Jefferson, Hardin, Liberty, Orange, Red River, Lamar, Delta, Hopkins, Franklin, Brazos, Robertson, Burleson, Lee, Washington, Bastrop, Kaufman, Henderson, Navarro, Freestone, Anderson, Bell, Erath, Bosque, Hamilton, Coryell, Galveston, Chambers, Matagorda, Wharton, Fort Bend, Travis, Williamson, San Saba, Llano, Lampasas, Burnet, Tarrant, Dallas, Hill, Ellis, Johnson, Hood, Somervell, Baylor, Wichita, Archer, Young, Clay, Hardeman, Foard, Knox, Wilbarger, Parker, Palo Pinto, Jack, Denton, Wise, Hunt, Collin, Rains, Rockwall, Harrison, Rusk, Gregg, Panola, Shelby, Bailey, Lamb, Hale, Floyd, Motley, Cottle, King, Dickens, Lubbock, Hockley, Yoakum, Terry, Lynn, Kent, Stonewall, Crosby, Borden, Dawson, Gaines, Andrews, Howard, Martin, Cochran, Leon, Montgomery, San Jacinto, Pope, Grimes, Houston, Trinity, Walker, Van Zandt, Smith, Wood, Upshur, Camp, Fayette, Lavaca, Colorado, Austin, Waller, Armstrong, Briscoe, Carson, Castro,

Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Oldham, Hutchinson, Lipscomb, Moore, Ochiltree, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Atascosa, Goliad, Live Oak, Refugio, Bee, Karnes, Aransas, DeWitt, San Patricio, Wilson, Victoria, Jackson, Calhoun, Sabine, Tyler, Cherokee, Jasper, Newton, Nacogdoches, San Augustine, Angelina, Cooke, Grayson, Fannin, Bexar, Kerr, Kendall, Bandera, Blanco, Hays, Comal, Caldwell, Guadalupe, Gonzales, Falls, Limestone, McLennan, Milam, Harris, Comanche, Mills, Brown, Coleman, McCulloch, Mason, Menard, Coke, Concho, Runnels, Tom Green, Irion, Schleicher, Sterling, Gillespie, and Kimble."

Section 3. The fact that Mitchell County has heretofore been exempted from the Acts providing for a hide and animal inspection in certain counties and because cattle thieving and rustling have become rampant in Mitchell County creating an emergency and a public necessity, that the Constitutional Rule requiring all bills to be read on three several days be suspended and the same is hereby suspended and this Act shall become effective immediately upon its passage.

Amend House Bill No. 711, by striking out all above the enacting clause and insert in lieu thereof the following:

**"A BILL**

**To Be Entitled**

An Act amending Article 7005, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1927, Fortieth Legislature, page 156, Chapter 105; Acts, 1931, Forty-second Legislature, page 755, Chapter 299, Acts, 1931, Forty-second Legislature, page 852, Chapter 360; Acts, 1933, Forty-third Legislature, page 14, Chapter 10; Acts, 1933, Forty-third Legislature, Special Law, page 59, Chapter 49; Acts, 1933, Forty-third Legislature, page 636, Chapter 213; and an Act amending Article 7008, Section 2, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, First Called Session, page 73, Chapter 33, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 711 was then passed to engrossment.

**HOUSE BILL NO. 775 ON SECOND READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 775, A bill to be entitled "An Act making it the duty of the State Highway Department to purchase and issue two license number plate locking devices with each set of license number plates, said locking devices to be used to attach the rear license number plate of all motor vehicles; providing for the manner in which said locking devices are to be issued and replaced and prescribing certain duties pertaining thereto on the Highway Department and County Tax Collector; making it unlawful to drive a truck, trailer, or tractor after March 31, 1938 on any highway without the rear license plate being attached thereto in a certain manner; making it unlawful to sell a new motor vehicle after January 1, 1938, without providing a place to attach the rear license plate in a certain manner; making it unlawful to drive a motor vehicle after March 31, 1938, without the rear license plate being attached with locking devices in good mechanical condition as authorized by the State Highway Department; . . . etc., and declaring an emergency."

The bill was read second time.

Mr. Davisson of Eastland offered the following committee amendment to the bill:

Amend House Bill No. 775, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. It shall be the duty of the State Highway Department to issue or cause to be issued with each set of license number plates for use on all motor vehicles in this State two number plate locking devices of a kind and character so that when the license number plate is attached to the motor vehicle by the use of such locking devices the license number plate cannot be removed without breaking the locking devices, and such devices shall be of that kind that can be detected at a distance of at least one hundred feet by day or by night and whether the vehicle is moving or standing still. The two license num-



ber plate locking devices shall be used to attach the rear license number plate issued by the Department.

Section 2. It shall be the duty of the State Highway Department to issue or cause to be issued a limited number of such locking devices to the Tax Collectors in the respective counties of the State, such limited number of locking devices so issued not to exceed two per cent (2%) additional over and above the total number of license number plates issued to such county. A careful record shall be made by the Department of the number of such locking devices so issued to said Tax Collectors. A person who by accident or otherwise breaks his own locking device may obtain another such device from the Tax Collector of any county in this State upon furnishing such Tax Collector with affidavits to the effect that the person applying for such additional locking device is in truth and in fact the owner of the car to which it is desired to attach such locking devices, that the original locking devices issued to the owner of said motor vehicle has been broken and destroyed, and return to the Tax Collector the broken locking devices which the person desires to replace. Upon satisfactory evidence as herein provided being furnished, the Tax Collector shall issue such additional patented license number plate locking devices upon the payment by the owner of the motor vehicle of a fee of fifty cents (\$.50). The Tax Collector shall retain twenty-five cents (\$.25) of this amount and shall transmit twenty-five cents (\$.25) thereof to the State Highway Department. It shall be the duty of the Tax Collector issuing such additional patented license number plate locking devices to make a careful record of the transactions and report such reissuance to the Department at Austin, and to retain in the files of his office the evidence upon which he issued such additional locking devices. If any of the license plate locking devices are mechanically defective the Tax Collector may issue new ones to any person issued defective locking devices provided the person returns the defective devices to the Tax Collector and furnishes the Tax Collector with an affidavit that the locking devices are defective. The Tax Collector of this State shall safely keep all unused, broken and defective locking devices until the Highway Department of

Texas orders the same returned to the Highway Department at Austin, Texas, where the number of locking devices shall be checked against the number of license plates issued and sold by the respective Tax Collector and after being checked the returned locking devices shall be destroyed.

Section 3. It shall be unlawful after March 31, 1938, for any person to drive upon any public highway or street in this State any truck, truck tractor, trailer, semi-trailer or tractor, as defined by Articles 6679, 6680 and 6681 respectively, without the rear license plate being attached directly to the rear fender or body of the truck, truck tractor, trailer, semi-trailer or tractor, or if an attachment is used for holding the rear license plate, without the attachments being welded to either the rear fender, chassis or body of the truck, tractor, or trailer.

Section 4. It shall be unlawful after the first day of January one thousand nine hundred and thirty-eight (January 1, 1938) for any person, firm or corporation to sell a new motor vehicle of any kind in this State without having a place to attach the rear license plate directly to either the rear fender or body of the motor vehicle, or, if an attachment is placed on the rear of the motor vehicle for holding the license plate, without the attachment being welded to either the rear fender, chassis or body of the motor vehicle.

Section 5. It shall be unlawful after midnight of March 31, 1938, for any person to drive a motor vehicle required by law to have a license number plate attached thereto, upon any public highway or street in this State without having the rear license number plate attached thereto with locking devices in good mechanical condition as hereinabove described and as authorized by the Texas State Highway Department.

Section 6. Any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not to exceed Two Hundred Dollars.

Section 7. It shall be the duty of all peace officers in the State of Texas to arrest, every person seen by such officer driving a motor vehicle upon any public highway or street in this State in violation of this law.

Section 8. It shall be the duty of the State Highway Department to is-

sue or cause to be issued the aforesaid license number plate locking devices with all license number plates issued for use in this State, beginning with the license number plates issued for the year 1938.

Section 9. The provisions of this Act shall not be held to repeal any provisions of existing laws dealing with the issuance of and use of license number plates on motor vehicles, unless such existing laws be directly in conflict with the provisions of this Act, but this Act shall be construed as cumulative of all such existing laws. The provisions of this Act shall not apply to dealers licenses as defined by Article 6686.

Section 10. There is hereby appropriated and set apart out of the State Highway Fund a sufficient amount of money to be used by the State Highway Department in the payment for the patented license number plate locking devices required by this Act to be purchased by the State Highway Department.

Section 11. The fact that many motor vehicle owners in Texas have their vehicles stolen and license number plates stolen from such vehicles, and the further fact that many license plates are removed from one car and placed on another thereby depriving the State of thousands of dollars of revenue each year, creates an emergency and an imperative public necessity that the rule requiring all bills to be read on three several days be suspended and said rule is hereby suspended, and that this Act take effect from and after its passage, and at the time or times as provided in said Act; and it is so enacted."

Mr. Davisson of Eastland offered the following amendment to the committee amendment:

Amend Committee Amendment to House Bill No. 775, by striking out beginning with the words "upon satisfactory" in line 23 on page 5, down to the words "it shall" in line 29.

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 775 was then passed to engrossment.

## MESSAGE FROM THE SENATE

Austin, Texas, April 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 429, A bill to be entitled "An Act fixing terms of office and providing for election of school trustees in cities constituting Independent School Districts or which have assumed control of their Public Free Schools and having, according to the last preceding Federal Census, a population of not less than 101,000 inhabitants, and not more than 105,000 inhabitants."

H. B. No. 810, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any wild turkey for a period of five years in Austin County, Texas; fixing penalties, and declaring an emergency."

H. B. No. 377, A bill to be entitled "An Act amending Section 6 of Article III of House Bill No. 8, Acts, Forty-fourth Legislature, Third Called Session, exempting from taxation any admission, all proceeds of which inure exclusively to the benefit of State, religious, educational or charitable institutions, organizations, or societies, and declaring an emergency." (With amendments.)

H. B. No. 440, A bill to be entitled "An Act defining certain words and phrases as used herein; regulating and controlling the production, preparation, manufacture, possession, transportation, sale, disposition, and use of cocoa leaves, cocaine, opium, morphine, codeine, heroin, and any compound, manufacture, salt, derivative, mixture, and preparation thereof, or of either of them; providing for licenses to persons manufacturing, compounding, mixing, cultivating, growing, or otherwise producing narcotic drugs and for wholesalers thereof; providing for an annual license fee; providing to whom manufacturer or wholesaler may sell narcotic drugs; official return and orders for such sales; when possession or control of narcotic drugs lawful; limitation on right of designated persons to administer narcotic drugs; providing for sales by pharmacists upon prescription; what prescription to state; preservation and non-refilling of prescription; sale of stock by

legal owner discontinuing dealing in narcotic drugs; sales by pharmacists of solutions containing narcotic drugs; providing for prescription for, or administering, narcotic drugs by physicians or dentist; etc., and providing when this Act shall take effect." (With amendments.)

H. B. No. 47, A bill to be entitled "An Act providing for the repeal of Senate Bill No. 294 and known as Chapter 64 at page 152 of the General Laws of the Regular Session of the Forty-fourth Legislature, wherein it was provided that school trustees in independent school districts having within their boundaries a city with a population of not less than 160,000 or more than 220,000, should be elected for a period of six years and providing among other things for the filling of vacancies and the holding of elections; repealing all laws and parts of laws (general or special) in conflict with that Act, and declaring an emergency." (With amendments.)

H. B. No. 525, A bill to be entitled "An Act declaring the purpose of the Legislature in enacting this bill; creating the Texas Home for Colored Orphans and providing for the maintenance of such home at or near Gilmer, Texas, in the County of Upshur, upon a site or tract of land heretofore donated by the Dickson Colored Orphans, Inc., to and accepted by the State of Texas; repealing Sections 2 and 7 of Chapter 21, Acts of the Forty-first Legislature, Third Called Session, and all other laws and parts of laws in so far as they conflict with the provisions of this Act or its purpose to continue the maintenance of a negro orphan's home upon that tract of land donated to the State of Texas located in Gilmer, Upshur County, Texas, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILL NO. 793 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 793, A bill to be entitled "An Act making it unlawful for any person, firm, company or corporation to move, or cause to be moved any hog or hogs from any premises within

twenty-one days following the injection of hog cholera virus without written permission from the Live Stock Sanitary Commission and prescribing a penalty therefor; making it unlawful for any person, firm, company or corporation to transport, draft or drive any hog upon a public thoroughfare, which is then sick of any contagious disease and which is out of any herd of hogs infected with any contagious disease, except with written permission of the Live Stock Sanitary Commission; . . . etc., providing that this law shall be cumulative of all other laws on the subject."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 912 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 912, A bill to be entitled "An Act amending Article 7249, Revised Civil Statutes of Texas, 1925, by adding a Section providing that when the State and County Tax Collector is tax collector for an independent school district that his official bond given to the County shall include moneys collected for such independent school district, and that the amount of money to be collected for the independent school district shall be considered in arriving at the amount of bond to be given by said tax collector; and providing that the independent school district shall pay its pro rata share of the premium for said bond, and declaring an emergency."

The bill was read second time.

Mr. Westbrook offered the following amendments to the bill:

Amend House Bill No. 912, by striking out all above the enacting clause and inserting in lieu thereof the following:

#### A BILL

#### To Be Entitled

An Act amending Article 7249, Revised Civil Statutes of Texas, 1925, by adding a Section providing that when the State and County Tax Collector is tax collector for an independent school district that his official bond given to the County shall include moneys collected for such independent school district,

and that the amount of money to be collected for the independent school district shall be considered in arriving at the amount of bond to be given by said tax collector; providing that the independent school district shall pay its pro rata share of the premium for said bond; and providing for the method of collecting on said bond, and declaring an emergency.

Amend House Bill No. 912, by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Article 7249, Revised Civil Statutes of Texas, 1925, as amended by the Acts of 1934, Forty-third Legislature, Third Called Session, page 86, Chapter 42, Section 1, be, and the same is hereby amended by adding another section which shall read as follows:

"In the event the State and County Tax Collector is designated as tax collector for an independent school district the official bond given to the County to be approved by the Commissioners' Court as provided by Article 7249, as amended, shall include and make the tax collector and his bondsmen liable for any default or misappropriation of independent school district taxes in the same manner as if they were County taxes, and the amount of independent school taxes to be collected for any one year shall be considered in arriving at the amount of bond to be given by the State and County Tax Collector; providing that the independent school district shall be liable for its pro rata share of the premium on said bond, upon the same terms and conditions of the County's liability therefor. In case of default on said bond, the county shall collect and pay over to the school district any sum of money that may be due such district thereon."

Section 2. The fact that at the present time many tax collectors for State and County purposes in the State of Texas are collecting taxes for independent school districts without having given a bond as such collector, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall be in full force and effect from and after its passage, and it is so enacted.

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 912 was then passed to engrossment.

#### HOUSE BILL NO. 948 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 948, A bill to be entitled "An Act amending Article 6674K, of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 993 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 993, A bill to be entitled "An Act providing for the trial and commitment to State Hospitals for the insanity of persons found upon trial to have been insane at the time of the commission of the act, as well as at the time of the trial of such person; providing for the discharge of persons tried for crime if found to have been insane at the time of the commission of the offense and sane at the time of the trial; providing for the commitment of such persons to a State Hospital for the insane if found to be sane at the time of the commission of the offense but insane at the time of the trial of such persons; providing for the trial of persons charged with crime who were sane at the time of the commission of the crime but insane upon the trial of their case, having been committed to a State Hospital for the insane and later found to have regained their sanity, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1002 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1002, A bill to be entitled "An Act to fix salaries and compen-

sation of County Commissioners in counties with a population of not less than 77,600 inhabitants nor more than 88,000 inhabitants according to the last Federal Census as same now exists or may hereafter exist, and/or having an assessed valuation of not less than \$40,000,001.00 nor more than \$50,000,000.00, according to the last approved tax rolls, as same now exists or may hereafter exist, and providing for the manner of payment of the salaries and the funds from which said salaries shall be paid; and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1017 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1017, A bill to be entitled "An Act making it unlawful for butane, or liquified petroleum gas, or artificial or natural gas to be handled, stored, sold or distributed in this State by any person, firm, corporation of other concern, without first being malodorized or odorized so that it will be perceptible and recognizable by the sense of smell; partially defining such odorants or malodorants; empowering the Railroad Commission of Texas to pass upon the sufficiency of same and to issue rules and regulations for the enforcement of this law and giving same the force and effect of law; providing penalties for failure of any person, firm, corporations, or associations and their officers to comply herewith; empowering the Attorney General to bring suits for such enforcement and penalties, and declaring an emergency."

The bill was read second time.

Mr. Knetsch offered the following amendment to the bill:

Amend House Bill No. 1017, by striking out all of Section 1 and inserting in lieu thereof the following:

"Section 1. That from and after the final passage and approval of this Act, in order that the danger of escaping combustible gases may be minimized and to facilitate the quick detection of gas leaks, it shall be unlawful for any person or persons, firm, corporation, municipality or otherwise, association or any distributing system, unit, or plant of any kind

in this State engaged in the business of handling, storing, selling, or distributing natural and liquefied petroleum gases, and other odorless gases, for private or commercial uses, or supplying the same by pipe lines or otherwise to any public building or buildings, or the general public, to handle, store, sell or distribute the same without first being effectively odorized by an agent of such character as to positively indicate by a distinctive odor the presense of gas down to concentrations in air of not over one-fifth the lower limit of inflammability and the agent shall be non-toxic and non-corrosive, and must be approved by the Railroad Commission of Texas after thorough tests and investigations made by them or upon their order, and set forth and described in any orders, rules and regulations promulgated by said Railroad Commission of Texas under the terms and provisions of this Act."

The amendment was adopted.

Mr. Felty offered the following amendment to the bill:

Amend House Bill No. 1017, by adding thereto after line 29 on page 2 thereof, a new section to be known as Section 2A, reading as follows:

"After the effective date of this Act all containers and pertinent equipment installed for use in this State for the storage and dispensing of liquefied petroleum gases for the purpose of providing gas fuel for industrial, commercial and domestic uses, shall be designed, constructed, equipped and installed as specified under the published Regulations of the National Board of Fire Underwriters for the Design, Installation and Construction of Containers and Pertinent Equipment for the Storage and Handling of Liquefied Petroleum Gases, effective July 15th, 1934. All containers used for the transportation of liquefied petroleum gases over the highways of this State, shall be designed, constructed and operated in accordance with the published Regulations for the Design, Construction and Operation of Automobile Tank Trucks and Tank Trailers for the Transportation of Liquefied Petroleum Gases, adopted by the National Board of Fire Underwriters and the National Fire Protection Association in the year 1935. Containers subject to the regulations of the Interstate Commerce Commission and containers which are owned or used by the Gov-

ernment of the United States of America are excepted from the provisions of this section."

The amendment was adopted.

Mr. Knetsch offered the following amendment to the bill:

Amend the caption of House Bill No. 1017, by inserting after the word "law" in line 19 on page 1, the following:

"providing regulations for the design, installation, construction and operation of containers and pertinent equipment for the storage, handling and transportation of butane, or liquefied petroleum gases."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1017 was then passed to engrossment.

#### HOUSE BILL NO. 1034 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1034, A bill to be entitled "An Act conferring authority on State Parks Board to acquire for use as a public park a tract of land situated on Padre Island, prescribing the terms and conditions under which such purchase can be made; . . . etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1035 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1035, A bill to be entitled "An Act providing that it shall be unlawful to kill quail in Wood County, Texas, except on certain days; providing the number of quail that may be killed in one day; providing penalty for violation of this Act; . . . etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1041 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1041, A bill to be entitled "An Act validating all elections and proceedings had in connection with the formation of Andrews Independent School District of Andrews County, Texas; establishing the boundaries of said Andrews Independent School District; providing for the Board of Trustees; providing that said District shall have and exercise all the rights, powers, privileges and duties conferred and imposed by the General Laws of this State upon the trustees of independent school districts, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1052 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1052, A bill to be entitled "An Act amending Section 13 of Chapter 42, page 49, Acts of the Regular Session of the Forty-third Legislature; amending said Section 13 of Chapter 42, with reference to salary to be paid the Judge of the County Court of Jefferson County at Law; repealing all laws, or parts of laws, in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1064 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1064, A bill to be entitled "An Act amending Article 1164, Revised Civil Statutes of Texas, 1925, by providing that the Board of Commissioners in any city or town containing less than 2,000 population according to the last preceding Federal Census may fix the salary of the mayor not to exceed \$600.00 per annum, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1068 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1068, A bill to be entitled "An Act amending Article 2832 of

Chapter 15, Title 49 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 127, Acts, Regular Session, Thirty-ninth Legislature, as amended by Chapter 27, Acts, First Called Session, Forty-second Legislature, and as amended by Chapter 133, Acts, Regular Session, Forty-third Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1071 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1071, A bill to be entitled "An Act to be designated as Article 2350m providing for traveling expenses for members of the Commissioners' Court in certain counties in this State, and declaring an emergency."

The bill was read second time.

Mr. McDonald offered the following amendment to the bill:

Amend House Bill No. 1071, by inserting the following words in Section 1, line 5, before the word "according": "and in all counties in this State having a population of not less than 22,642 and not more than 22,650".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1071 was then passed to engrossment.

#### HOUSE BILL NO. 1078 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1078, A bill to be entitled "An Act amending Article 3943, Revised Civil Statutes of Texas, 1925, as amended by Chapter 230, Acts of the Fortieth Legislature, Regular Session as amended by Chapter 346, Acts of the Forty-second Legislature, Regular Session, by providing that in counties containing a population of not less than 42,100 nor more than 42,250 according to the last preceding Federal Census and having a valuation in excess of \$20,000,000.00, the Commissioners' Court may allow the

County Treasurer to retain fees and commissions not exceeding \$3,600.00 per annum, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1080 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1080, A bill to be entitled "An Act to amend Chapter 23, Acts of the Fourth Called Session of the Forty-third Legislature; providing that it should be lawful to use one dog for the purpose of hunting, pursuing and taking of deer in Jefferson, and Orange Counties, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1091 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1091, A bill to be entitled "An Act validating the creation and organization of independent school districts, and validating the action of any County Board of Trustees with reference to the creation of school districts out of another independent school district, making this Act applicable to certain counties according to the last preceding Federal Census, and providing that no part of this Act shall affect any litigation now pending, and that only Acts passed by four-fifths majority of the County Board of Trustees shall be valid, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 761 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 761, A bill to be entitled "An Act to amend Section 1 and 3 of an Act creating the Henderson Independent School District of Concho County, Texas, passed by the Legislature, and approved by the Governor, March 24, 1925; providing for the changing of the boundary lines so as to include into the Henderson In-

dependent School District all of that certain tract of land owned by O. L. Boyles; as described in a deed to him and recorded in Book No. 28, page 592 of the Records of Deeds, of Concho County, Texas; and to amend Section 3, of said Act, so as to grant and provide for certain authority and certain duties for the Board of Trustees and other officers of said District as hereinafter set out in said Act creating said District, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 417 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 417, A bill to be entitled "An Act authorizing a District Court to proceed to trial at the instance of either party to the suit, where there are as many as twenty-five parties to said suit, even though some parties who have, or claim an interest in the subject matter involved in said suit are not made parties thereto, and providing that said judgment so rendered shall be binding on the parties to said suit, but shall in no way affect those not joined or dismissed from said suit, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1096 ON SECOND READING

Mr. Leath moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1096 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Adkins	Bradford
Alexander	Bridgers
Alsup	Broadfoot
Amos	Brown
Baker	Burton
Bates	Cagle
Beckworth	Callan
Bell	Carsow
Blankenship	Cathey
Bond	Cauthorn
Boyer	Celaya
Bradbury	Cleveland

Colquitt	McConnell
Davis of Haskell	McCracken
Davis of Jasper	McFarland
Davison of Fisher	McKee
Deglandon	McKinney
Dollins	Moffett
England	Morris
Farmer	Morse
Felty	Newton
Fielden	Palmer
Fox	Patterson of Mills
Fuchs	Patterson
Gibson	of Travis
Graves	Petsch
Hamilton	Pope
Hankamer	Powell
Hanna	Prescott
Harbin	Ragsdale
Hardin	Reed of Bowie
Harper	Reed of Dallas
Harrell	Rhodes
Harris of Archer	Roark
Harris of Dallas	Ross
Harris of Dickens	Russell
Hartzog	Rutta
Heflin	Schuenemann
Herzik	Settle
Holland	Sewell
Hoskins	Sharpe
Huddleston	Shell
Hyder	Simpson
Jackson	Skaggs
James	Smith of Hopkins
Johnson of Ellis	Smith of Tarrant
Jones of Angelina	Stinson
Jones of Falls	Stocks
Jones of Wise	Talbert
Kelt	Tennant
Kenyon	Tennyson
King	Thornberry
Knetsch	Thornton
Langdon	Vale
Lankford	Waggoner
Lanning	Walker
Leath	Weldon
Leyendecker	Westbrook
Loggins	Winfree
London	Wood
Mauritz	Worley

#### Absent

Boethel	Mann
Davisson	Mays
of Eastland	McDonald
Dean	Monkhouse
Derden	Nicholson
Dickison	Oliver
Howard	Quinn
Hull	Reader
Johnson	Riddle
of Tarrant	Smith
Jones of Atascosa	of Matagorda
Keefe	Stevenson
Keith	Tarwater
Leonard	



## Absent—Excused

Kern  
LittleLucas  
Metcalf

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1096, A bill to be entitled "An Act creating County Wide Equalization School Districts in all counties containing a population of not less than 15,700 nor more than 32,500, according to the last preceding Federal Census and containing a valuation of more than \$75,000,-000.00; providing for the vesting of the general management, supervision and control of the public schools and educational interests of such counties in the county board of school trustees, etc., and declaring an emergency."

The bill was read second time.

House Bill No. 1096 was then passed to engrossment.

## HOUSE BILL NO. 51 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 51, A bill to be entitled "An Act to amend Article 2943, Revised Civil Statutes of 1925, State of Texas, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—119

Adkins	Colquitt
Alexander	Davis of Haskell
Alsup	Davis of Jasper
Amos	Davison of Fisher
Baker	Davison
Bates	of Eastland
Beckworth	Deglandon
Bell	Dollins
Blankenship	England
Bond	Farmer
Boyer	Felty
Bradbury	Fielden
Bradford	Fuchs
Bridgers	Gibson
Broadfoot	Graves
Brown	Hamilton
Burton	Hankamer
Callan	Hanna
Carssow	Hardin
Cathey	Harper
Cauthorn	Harrell
Celaya	Harris of Archer
Cleveland	Harris of Dallas

Harris of Dickens	Patterson
Hartzog	of Travis
Heflin	Petsch
Herzik	Pope
Holland	Powell
Hoskins	Prescott
Huddleston	Ragsdale
Hyder	Reed of Bowie
Jackson	Reed of Dallas
James	Rhodes
Johnson of Ellis	Roark
Johnson	Russell
of Tarrant	Rutta
Jones of Angelina	Schuenemann
Jones of Falls	Settle
Jones of Wise	Sewell
Keefe	Sharpe
Kelt	Shell
Kenyon	Simpson
King	Skaggs
Knetsch	Smith of Hopkins
Langdon	Smith
Lanning	of Matagorda
Leath	Smith of Tarrant
Leyendecker	Stevenson
Loggins	Stinson
London	Stocks
Mauritz	Talbert
McConnell	Tennant
McCracken	Tennyson
McFarland	Thornberry
McKee	Thornton
McKinney	Vale
Moffett	Waggoner
Monkhouse	Walker
Morris	Weldon
Morse	Westbrook
Patterson of Mills	Wood
	Worley

Nays—2

Cagle Lankford

Absent

Boethel	McDonald
Dean	Newton
Derden	Nicholson
Dickison	Oliver
Fox	Palmer
Howard	Quinn
Hull	Reader
Jones of Atascosa	Riddle
Keith	Ross
Leonard	Tarwater
Mann	Winfree
Mays	

Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

**HOUSE BILL NO. 115 ON THIRD READING**

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 115, A bill to be entitled "An Act to amend Article 1442, Chapter 10, Title 17 of the Penal Code of the State of Texas, 1925, by increasing the maximum penalty for the theft of sheep or goat from four years to ten years, and declaring an emergency."

The bill was read third time, and was passed.

**HOUSE BILL NO. 116 ON THIRD READING**

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 116, A bill to be entitled "An Act to amend Article 1441, Chapter 10, Title 17 of the Penal Code of the State of Texas, 1925, by increasing the maximum penalty for the theft of cattle or hog from four years to ten years, and declaring an emergency."

The bill was read third time, and was passed.

**HOUSE BILL NO. 163 ON THIRD READING**

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 163, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, whether created by General or Special Law or by County Boards of Trustees; providing no transfer of territory is validated by the Act unless authorized by an affirmative vote of voters in such district; validating the acts of said County Boards of Trustees and Boards of Trustees of such districts; validating all proceedings and acts of said Boards of Trustees; validating all bonds voted, authorized and/or now outstanding of said districts; validating all tax levies made in be-

half of said districts; authorizing and empowering all school districts mentioned in this Act to levy, assess, and collect the same rate of taxes as is now being levied, or attempted to be authorized by any act, or acts of said districts, or by any Act of the Legislature; making certain exemptions, and declaring an emergency."

The bill was read third time.

Mr. Jones of Angelina offered the following amendment to the bill:

Amend House Bill No. 163, Section 1, by adding the word "Tyler County" after the word "Wheeler" wherever it appears in the bill.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 163 was then passed by the following vote:

Yeas—121

Adkins	Hamilton
Alexander	Hankamer
Alsup	Hanna
Bates	Hardin
Beckworth	Harper
Bell	Harrell
Blankenship	Harris of Archer
Bond	Harris of Dallas
Boyer	Harris of Dickens
Bradbury	Hartzog
Bradford	Herzik
Bridgers	Holland
Broadfoot	Hoskins
Brown	Huddleston
Burton	Hull
Cagle	Hyder
Callan	Jackson
Carssow	James
Cathey	Johnson of Ellis
Cauthorn	Johnson
Celaya	of Tarrant
Cleveland	Jones of Angelina
Colquitt	Jones of Falls
Davis of Haskell	Jones of Wise
Davis of Jasper	Keefe
Davison of Fisher	Kelt
Davisson	Kenyon
of Eastland	King
Dean	Knetsch
Deglandon	Langdon
Dollins	Lankford
England	Lanning
Farmer	Leath
Felty	Leyendecker
Fielden	Loggins
Fuchs	London
Gibson	Mauritz
Graves	McConnell

McCracken	Shell
McFarland	Simpson
McKee	Skaggs
Moffett	Smith of Hopkins
Morris	Smith
Morse	of Matagorda
Newton	Smith of Tarrant
Patterson of Mills	Stevenson
Patterson	Stinson
of Travis	Stocks
Petsch	Talbert
Pope	Tarwater
Powell	Tennant
Prescott	Tennyson
Reed of Bowie	Thornberry
Reed of Dallas	Thornton
Rhodes	Vale
Roark	Waggoner
Ross	Walker
Russell	Weldon
Rutta	Westbrook
Schuenemann	Winfree
Settle	Wood
Sewell	Worley
Sharpe	

## Absent

Amos	Mays
Baker	McDonald
Boethel	McKinney
Derden	Monkhouse
Dickison	Nicholson
Fox	Oliver
Heflin	Palmer
Howard	Quinn
Jones of Atascosa	Ragsdale
Keith	Reader
Leonard	Riddle
Mann	

## Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

## HOUSE BILL NO. 177 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 177, A bill to be entitled "An Act creating a School of Petroleum Engineering to be conducted in connection with and as a branch of the Agricultural and Mechanical College of Texas; prescribing the courses of instruction, the purposes and the field of operations of such school; making provisions for the appointment of the members of the faculty, their compensation and the purchase of the necessary equipment; fixing the qualifications of the students and relating the rules and regulations governing same; authorizing annual

short courses for oil field workers to be conducted by the school; designating the place for holding such short courses, and defining the methods of their conduct; placing state-owned lands available for such purpose at the disposal of the school for its field operations; providing for the commercial development of such lands and the apportionment of the profits arising therefrom in the event of oil or other mineral discoveries by the school; making an appropriation for the establishment of the school, and declaring an emergency."

The bill was read third time.

Mr. Thornberry offered the following amendment to the bill:

Amend House Bill No. 177, by inserting the words "The University of Texas and" preceding the words "The Agricultural Mechanical College of Texas" wherever they appear.

THORNBERRY,  
BELL,  
JONES of Wise.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 177 was then passed.

## HOUSE BILL NO. 259 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 259, A bill to be entitled "An Act amending Title 25, Article 911b, Section 6, of the Revised Statutes of the State of Texas, 1925, (Acts, 1929, Forty-first Legislature, page 698, Chapter 314, as amended by Acts, 1931, Forty-second Legislature, page 480, Chapter 277, Section 6) providing for the sale, lease, assignment, and/or transfer of permits owned or obtained under this section; repealing all laws or parts of laws in conflict therewith, and declaring an emergency."

The bill was read third time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 259 was then passed by the following vote:

Yeas—118

Adkins	Alsup
Alexander	Amos

Baker	Knetsch
Bates	Langdon
Beckworth	Lankford
Bell	Lanning
Blankenship	Leyendecker
Bond	Loggins
Boyer	London
Bradbury	Mauritz
Bradford	McConnell
Bridgers	McCracken
Broadfoot	McFarland
Burton	McKee
Cagle	McKinney
Callan	Moffett
Carsow	Morris
Cathey	Morse
Cauthorn	Newton
Celaya	Patterson of Mills
Cleveland	Patterson
Colquitt	of Travis
Davis of Haskell	Petsch
Davis of Jasper	Pope
Davison of Fisher	Powell
Davisson	Prescott
of Eastland	Ragsdale
Deglandon	Reed of Bowie
Dollins	Reed of Dallas
England	Rhodes
Farmer	Roark
Felty	Ross
Fox	Rutta
Fuchs	Schuenemann
Gibson	Settle
Graves	Sewell
Hamilton	Sharpe
Hankamer	Shell
Hanna	Simpson
Hardin	Skaggs
Harper	Smith of Hopkins
Harrell	Smith
Harris of Archer	of Matagorda
Harris of Dallas	Smith of Tarrant
Harris of Dickens	Stevenson
Hartzog	Stinson
Herzik	Stocks
Holland	Talbert
Hoskins	Tarwater
Hull	Tennant
Hyder	Tennyson
Jackson	Thornberry
James	Thornton
Johnson of Ellis	Vale
Johnson	Waggoner
of Tarrant	Walker
Jones of Angelina	Westbrook
Jones of Falls	Winfree
Jones of Wise	Wood
Keefe	Worley
Kenyon	
King	

Absent

Boethel	Derden
Brown	Dickison
Dean	Fielden

Heflin	McDonald
Howard	Monkhouse
Huddleston	Nicholson
Jones of Atascosa	Oliver
Keith	Palmer
Kelt	Quinn
Leath	Reader
Leonard	Riddle
Mann	Russell
Mays	Weldon

Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 284 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 284, A bill to be entitled "An Act amending Article 5714 of the Revised Civil Statutes of the State of Texas, of 1925, as amended by Chapter 83, Section 1, Acts of the Regular Session of the Forty-second Legislature, giving the Commissioner of Agriculture authority to make specific regulations with reference to Specifications and Tolerances for weighing and measuring devices and their use, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—113

Adkins	Deglandon
Alexander	Dollins
Alsup	England
Amos	Farmer
Bates	Felty
Beckworth	Fox
Bell	Gibson
Blankenship	Graves
Bond	Hamilton
Boyer	Hankamer
Bradbury	Hanna
Bradford	Hardin
Bridgers	Harris of Archer
Broadfoot	Harris of Dallas
Burton	Harris of Dickens
Cagle	Hartzog
Callan	Herzik
Carsow	Holland
Cathey	Hoskins
Cauthorn	Hyder
Celaya	Jackson
Cleveland	James
Colquitt	Johnson of Ellis
Davis of Haskell	Johnson
Davis of Jasper	of Tarrant
Davison of Fisher	Jones of Angelina
Davisson	Jones of Falls
of Eastland	Jones of Wise

Keefe	Rhodes
Kelt	Roark
Kenyon	Ross
King	Rutta
Knetsch	Schuenemann
Langdon	Settle
Lankford	Sewell
Lanning	Sharpe
Leath	Shell
Leyendecker	Simpson
Loggins	Skaggs
London	Smith of Hopkins
Mauritz	Smith
McConnell	of Matagorda
McCracken	Smith of Tarrant
McFarland	Stevenson
McKee	Stinson
Moffett	Stocks
Morris	Talbert
Morse	Tarwater
Newton	Tennant
Patterson of Mills	Tennyson
Patterson	Thornberry
of Travis	Thornton
Petsch	Walker
Pope	Weldon
Powell	Westbrook
Prescott	Winfree
Ragsdale	Wood
Reed of Bowie	Worley
Reed of Dallas	

## Absent

Baker	Leonard
Boethel	Mann
Brown	Mays
Dean	McDonald
Derden	McKinney
Dickison	Monkhouse
Fielden	Nicholson
Fuchs	Oliver
Harper	Palmer
Harrell	Quinn
Heflin	Reader
Howard	Riddle
Huddleston	Russell
Hull	Vale
Jones of Atascosa	Waggoner
Keith	

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 291 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 291, A bill to be entitled "An Act to amend Chapter 83, Senate Bill 179, of the General Laws passed by the Forty-first Legislature of the State of Texas at its Second Called

Session, by amending Section 4 of said Act by adding, at the end of such Section the following: 'Provided, that any person who has to his credit in any standard college or university of Texas as much as six (6) hours of Government, shall be deemed to have met the requirements of this Section', and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—114

Adkins	Jackson
Alsup	Johnson of Ellis
Amos	Johnson
Baker	of Tarrant
Bates	Jones of Angelina
Beckworth	Jones of Falls
Bell	Jones of Wise
Blankenship	Keefe
Bond	Kelt
Boyer	Kenyon
Bradbury	King
Bradford	Knetsch
Bridgers	Langdon
Broadfoot	Lankford
Brown	Lanning
Burton	Loggins
Cagle	London
Callan	Mauritz
Carssow	McConnell
Cathey	McCracken
Celaya	McFarland
Cleveland	McKee
Colquitt	Moffett
Davis of Haskell	Morris
Davis of Jasper	Morse
Davison of Fisher	Newton
Davison	Patterson of Mills
of Eastland	Patterson
Deglandon	of Travis
Dollins	Petsch
England	Pope
Farmer	Powell
Felty	Prescott
Fox	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Rhodes
Graves	Roark
Hamilton	Ross
Hankamer	Russell
Hanna	Rutta
Hardin	Schuenemann
Harper	Settle
Harris of Archer	Sewell
Harris of Dallas	Sharpe
Harris of Dickens	Shell
Hartzog	Simpson
Herzik	Skaggs
Holland	Smith of Hopkins
Hoskins	Smith
Hull	of Matagorda
Hyder	Smith of Tarrant

Stevenson  
Stinson  
Stocks  
Talbert  
Tennant  
Tennyson  
Thornberry  
Thornton

Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

## Absent

Alexander  
Boethel  
Cauthorn  
Dean  
Derden  
Dickison  
Fielden  
Harrell  
Heflin  
Howard  
Huddleston  
James  
Jones of Atascosa  
Keith  
Leath

Leonard  
Leyendecker  
Mann  
Mays  
McDonald  
McKinney  
Monkhouse  
Nicholson  
Oliver  
Palmer  
Quinn  
Ragsdale  
Reader  
Riddle  
Tarwater

## Absent—Excused

Harbin  
Kern  
Little

Lucas  
Metcalf

## HOUSE BILL NO. 402 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 402, A bill to be entitled "An Act making an appropriation of Twelve Hundred Thirty-seven (\$1,237.00) Dollars to the Crane County Independent School District in order to refund to said District over payment of interest on school bonds made by said District on bonds held by the State Permanent School Fund, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—116

Adkins  
Alexander  
Alsup  
Amos  
Baker  
Bates  
Bell  
Blankenship  
Bond  
Boyer  
Bradbury  
Bradford  
Bridgers

Broadfoot  
Brown  
Burton  
Callan  
Carssow  
Cathey  
Cauthorn  
Celaya  
Cleveland  
Colquitt  
Davis of Haskell  
Davis of Jasper  
Davison of Fisher

Davisson  
of Eastland  
Deglandon  
Dollins  
England  
Farmer  
Felty  
Fox  
Fuchs  
Gibson  
Graves  
Hamilton  
Hankamer  
Hanna  
Hardin  
Harper  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Herzik  
Holland  
Hoskins  
Huddleston  
Hull  
Hyder  
Jackson  
James  
Johnson of Ellis  
Johnson  
of Tarrant  
Jones of Angelina  
Jones of Falls  
Jones of Wise  
Keefe  
Kelt  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leyendecker  
Loggins  
London  
Mauritz  
McConnell  
McCracken

McFarland  
McKee  
Moffett  
Morris  
Morse  
Newton  
Patterson of Mills  
Patterson  
of Travis  
Petsch  
Pope  
Powell  
Reed of Bowie  
Reed of Dallas  
Rhodes  
Roark  
Ross  
Russell  
Rutta  
Schuenemann  
Settle  
Sewell  
Sharpe  
Shell  
Simpson  
Skaggs  
Smith of Hopkins  
Smith  
of Matagorda  
Smith of Tarrant  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

## Absent

Beckworth  
Boethel  
Cagle  
Dean  
Derden  
Dickison  
Fielden  
Harrell  
Heflin  
Howard  
Jones of Atascosa  
Keith  
Kenyon  
Leath

Leonard  
Mann  
Mays  
McDonald  
McKinney  
Monkhouse  
Nicholson  
Oliver  
Palmer  
Prescott  
Quinn  
Ragsdale  
Reader  
Riddle

## Absent—Excused

Harbin Lucas  
Kern Metcalfe  
Little

## HOUSE BILL NO. 475 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 475, A bill to be entitled "An Act providing for the posting of legal notices at some place within the court house to be designated by the Commissioners Court; and making this Act cumulative of all laws on the subject of posting of notices wherever such posting is required by law; and providing for the designation of the place or places where such notices shall be posted."

The bill was read third time, and was passed.

## HOUSE BILL NO. 480 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 480, A bill to be entitled "An Act amending Subsection (a) of Section 16 of Article 7076, Title 122 of the Revised Civil Statutes of Texas; providing certain regulations regarding the opening of any safety deposit box belonging to the decedent prior to the delivery of the same to the heirs or legal representatives, providing a penalty, and declaring an emergency."

The bill was read third time, and was passed.

## HOUSE BILL NO. 539 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 539, A bill to be entitled "An Act to amend Article 1063 of the Penal Code of the State of Texas of 1925 so as to include milk bottle cases, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—116

Alexander Bond  
Alsup Boyer  
Amos Bradbury  
Baker Bradford  
Bates Bridgers  
Blankenship Broadfoot

Brown  
Burton  
Callan  
Carssow  
Cathey  
Cauthorn  
Celaya  
Cleveland  
Colquitt  
Davis of Haskell  
Davis of Jasper  
Davison of Fisher  
Davisson  
of Eastland  
Deglandon  
Dollins  
England  
Farmer  
Felty  
Fox  
Gibson  
Graves  
Hamilton  
Hankamer  
Hanna  
Hardin  
Harper  
Harrell  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Herzik  
Holland  
Hoskins  
Huddleston  
Hull  
Hyder  
Jackson  
James  
Johnson of Ellis  
Johnson  
of Tarrant  
Jones of Angelina  
Jones of Falls  
Jones of Wise  
Keefe  
Kelt  
Kenyon  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leyendecker

Loggins  
London  
Mauritz  
McConnell  
McCracken  
McFarland  
McKee  
McKinney  
Moffett  
Morris  
Morse  
Newton  
Patterson of Mills  
Patterson  
of Travis  
Petsch  
Pope  
Powell  
Prescott  
Reed of Bowie  
Reed of Dallas  
Rhodes  
Roark  
Russell  
Rutta  
Schuenemann  
Settle  
Sewell  
Sharpe  
Shell  
Simpson  
Skaggs  
Smith of Hopkins  
Smith  
of Matagorda  
Smith of Tarrant  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

Present—Not Voting

Adkins

Absent

Beckworth  
Bell  
Boethel  
Cagle  
Dean  
Derden  
Dickison  
Fielden  
Fuchs  
Heflin

Howard	Nicholson
Jones of Atascosa	Oliver
Keith	Palmer
Leath	Quinn
Leonard	Ragsdale
Mann	Reader
Mays	Riddle
McDonald	Ross
Monkhouse	

Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

## HOUSE BILL NO. 553 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 553, A bill to be entitled "An Act amending Article 5453, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read third time, and was passed.

## HOUSE BILL NO. 441 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 441, A bill to be entitled "An Act to amend Article 7064, Revised Civil Statutes of 1925, as amended by House Bill No. 8, Chapter 495, Article IV, Acts of the Third Called Session of the Forty-fourth Legislature of 1936; and to repeal Section 17, Chapter 40, Acts of the Forty-first Legislature, First Called Session, as relates to the payment of taxes; and to amend Article 4769, Revised Civil Statutes of 1925, as amended by said House Bill 8 above referred to; and to amend Article 7064a, as enacted by House Bill 8, Chapter 495, Article IV, Acts of the Third Called Session of the Forty-fourth Legislature aforesaid; and amending Article 7064, relating to insurance companies, corporations, reciprocals and other organizations or concerns transacting the business of fire, marine, marine inland, accident, credit, title livestock, fidelity, guaranty, surety, casualty or any other kind or character of insurance business other than life insurance and fraternal benefit associations; . . . etc., and declaring an emergency."

The bill was read third time, and was passed.

## HOUSE BILL NO. 588 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 588, A bill to be entitled "An Act validating all cities of less than five thousand heretofore incorporated or attempted in good faith to be incorporated under the General Laws of the State of Texas under the commission form of government, validating all elections, election orders, election proceedings, affidavits and orders of incorporation and all governmental proceedings performed in good faith by the governing bodies of such cities or towns since their incorporation, or attempted incorporation, providing the provisions hereof shall affect no city or town now in litigation, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—116

Adkins	Harper
Alsup	Harrell
Amos	Harris of Archer
Baker	Harris of Dallas
Bates	Harris of Dickens
Bell	Hartzog
Blankenship	Herzik
Bond	Holland
Boyer	Hoskins
Bradbury	Huddleston
Bradford	Hull
Bridgers	Hyder
Brown	Jackson
Burton	James
Callan	Johnson of Ellis
Carssow	Johnson
Cathey	of Tarrant
Cauthorn	Jones of Angelina
Celaya	Jones of Falls
Cleveland	Jones of Wise
Colquitt	Keefe
Davis of Haskell	Kelt
Davis of Jasper	Kenyon
Davison of Fisher	King
Davisson	Knetsch
of Eastland	Langdon
Deglandon	Lankford
Dollins	Lanning
England	Leath
Farmer	Leyendecker
Felty	Loggins
Fuchs	London
Gibson	Mauritz
Graves	McConnell
Hamilton	McCracken
Hankamer	McFarland
Hanna	McKee
Hardin	McKinney



Moffett	Skaggs
Morris	Smith of Hopkins
Morse	Smith
Newton	of Matagorda
Patterson of Mills	Smith of Tarrant
Patterson	Stevenson
of Travis	Stinson
Petsch	Stocks
Pope	Talbert
Powell	Tarwater
Prescott	Tennant
Reed of Bowie	Tennyson
Reed of Dallas	Thornberry
Rhodes	Thornton
Roark	Vale
Ross	Waggoner
Russell	Walker
Settle	Weldon
Sewell	Westbrook
Sharpe	Winfree
Shell	Wood
Simpson	Worley

## Absent

Alexander	Leonard
Beckworth	Mann
Boethel	Mays
Broadfoot	McDonald
Cagle	Monkhouse
Dean	Nicholson
Derden	Oliver
Dickison	Palmer
Fielden	Quinn
Fox	Ragsdale
Heflin	Reader
Howard	Riddle
Jones of Atascosa	Rutta
Keith	Schuenemann

## Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

## HOUSE BILL NO. 632 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 632, A bill to be entitled "An Act providing for the codifying and publishing of all city ordinances of every incorporated city, town, and village and every city, town and village operating under a home rule charter, defining the term codifying, providing that such ordinances when codified shall be accessible to the public, providing for a penalty for failure to keep such ordinances accessible to the public, providing for the invalidating of all ordinances that are not codified, repealing all laws and parts

of law in conflict herewith, and containing a saving clause."

The bill was read third time.

Mr. Johnson of Tarrant offered the following amendment to the bill:

Amend House Bill No. 632, by adding a new Section reading as follows:

"Sec. 10. The fact that there is now no provision for the codifying of the ordinances in towns provided for in this Act, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Amend the caption of House Bill No. 632 to conform to the changes and with the body of the bill.

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 632 was then passed by the following vote:

## Yeas—115

Adkins	Felty
Alsup	Fox
Amos	Fuchs
Baker	Gibson
Bates	Graves
Bell	Hamilton
Blankenship	Hankamer
Bond	Hanna
Boyer	Hardin
Bradbury	Harper
Bradford	Harrell
Bridgers	Harris of Archer
Brown	Harris of Dallas
Burton	Harris of Dickens
Callan	Hartzog
Carssow	Herzik
Cauthorn	Holland
Celaya	Hoskins
Cleveland	Huddleston
Colquitt	Hull
Davis of Haskell	Hyder
Davis of Jasper	Jackson
Davison of Fisher	James
Davison	Johnson of Ellis
of Eastland	Johnson
Deglandon	of Tarrant
Dollins	Jones of Angelina
England	Jones of Falls
Farmer	Jones of Wise

Keefe	Roark
Kelt	Ross
Kenyon	Russell
King	Schuenemann
Knetsch	Settle
Langdon	Sewell
Lankford	Sharpe
Lanning	Shell
Leath	Simpson
Leyendecker	Skaggs
Loggins	Smith of Hopkins
London	Smith
Mauritz	of Matagorda
McConnell	Smith of Tarrant
McCracken	Stevenson
McFarland	Stinson
McKee	Stocks
McKinney	Talbert
Moffett	Tarwater
Morris	Tennant
Morse	Tennyson
Newton	Thornberry
Patterson of Mills	Thornton
Patterson	Vale
of Travis	Waggoner
Pope	Walker
Powell	Weldon
Prescott	Westbrook
Reed of Bowie	Wood
Reed of Dallas	Worley
Rhodes	

## Absent

Alexander	Mann
Beckworth	Mays
Boethel	McDonald
Broadfoot	Monkhouse
Cagle	Nicholson
Cathey	Oliver
Dean	Palmer
Derden	Petsch
Dickson	Quinn
Fielden	Ragsdale
Heflin	Reader
Howard	Riddle
Jones of Atascosa	Rutta
Keith	Winfree
Leonard	

## Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

## HOUSE BILL NO. 634 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 634, A bill to be entitled "An Act to amend Subdivision 38, of Article 19, Title 8, Revised Statutes of 1925, as amended by Act of the Forty-first Legislature at its Regular Session, page 125, Chapter 60, Sections

1, 2 and 3, and providing for changing and prescribing terms and times for holding the Courts in the Counties composing the 38th Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them returnable to the terms of Court in the several counties as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under this Act; to repeal all laws and parts of laws in conflict herewith; and providing the time this Act shall take effect, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—119

Adkins	Harris of Dickens
Alsup	Hartzog
Amos	Herzik
Baker	Holland
Bates	Hoskins
Bell	Huddleston
Blankenship	Hyder
Boethel	Jackson
Bond	James
Boyer	Johnson of Ellis
Bradbury	Johnson
Bradford	of Tarrant
Bridgers	Jones of Angelina
Brown	Jones of Falls
Burton	Jones of Wise
Callan	Keefe
Carssow	Kelt
Cathey	Kenyon
Cauthorn	King
Celaya	Knetsch
Cleveland	Langdon
Colquitt	Lankford
Davis of Haskell	Lanning
Davis of Jasper	Leath
Davison of Fisher	Leyendecker
Davisson	Loggins
of Eastland	London
Deglandon	Mauritz
Dollins	McConnell
England	McCracken
Farmer	McFarland
Felty	McKee
Fox	McKinney
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Morse
Hankamer	Newton
Hanna	Patterson of Mills
Hardin	Patterson
Harper	of Travis
Harrell	Petsch
Harris of Archer	Pope
Harris of Dallas	Powell

Prescott	Smith of Tarrant
Reed of Bowie	Stevenson
Reed of Dallas	Stinson
Rhodes	Talbert
Roark	Tarwater
Ross	Tennant
Russell	Tennyson
Rutta	Thornberry
Schuenemann	Thornton
Settle	Vale
Sewell	Waggoner
Sharpe	Walker
Shell	Weldon
Simpson	Westbrook
Skaggs	Winfree
Smith of Hopkins	Wood
Smith of Matagorda	Worley

## Absent

Alexander	Leonard
Beckworth	Mann
Broadfoot	Mays
Cagle	McDonald
Dean	Nicholson
Derden	Oliver
Dickison	Palmer
Fielden	Quinn
Heflin	Ragsdale
Howard	Reader
Hull	Riddle
Jones of Atascosa	Stocks
Keith	

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 725 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 725, A bill to be entitled "An Act to amend Section 14 of Chapter 282, Senate Bill No. 82, Acts of the Regular Session, Forty-first Legislature; to amend Sections 4, 5, 7, 8 and 18, Chapter 282, Senate Bill No. 82, Acts of the Regular Session, Forty-first Legislature as amended by Chapter 174, Senate Bill No. 279, Acts of the Regular Session of the Forty-Second Legislature; . . . etc., and declaring an emergency."

The bill was read third time.

On motion of Mr. Thornberry, House Bill No. 725 was laid on the table.

## HOUSE BILL NO. 777 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 777, A bill to be entitled "An Act amending Article 7331, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, paragraph 8, Acts of the Forty-first Legislature, Fourth Called Session, by adding thereto a section to be known as Article 7331a providing that the Tax Assessor-Collector in each county shall be entitled to a fee of \$1.00 for preparing and issuing redemption receipts and certificates; reporting and crediting redemptions; posting Comptroller's redemption numbers on the delinquent tax record or annual delinquent list; mailing certificates of redemption to taxpayers after approval by the Comptroller; and for issuing receipts or certificates of redemption for property shown on the annual delinquent list for each of the years 1930, 1931, 1932, 1933, and declaring an emergency."

The bill was read third time.

Mr. Boyer offered the following amendment to the bill:

Amend House Bill Number 777, by adding a new section at the end of Section 1, to be known as Section 1(a) to read as follows:

Section 1 (a). That Article 7322, Revised Civil Statutes, State of Texas, as amended by Acts, 1895, page 50; and the Acts, 1897, page 132, be and the same is hereby amended so as to hereafter read as follows:

## "Article 7322:

On receipt of such delinquent tax record the county clerk of each of the counties of this State, respectively, shall certify the same to the commissioner's court for examination and correction, and he shall thereafter cause the same to be recorded in a book labeled the 'Delinquent Tax Record of . . . County'. The delinquent tax record shall be arranged numerically as to abstract numbers, and shall be accompanied by an index showing the names of delinquents in alphabetical order. For certifying the delinquent tax record to the commissioner's court and for keeping the delinquent tax record, the county clerk shall be entitled to a fee of One (\$1.00) Dollar for each tract so certified and recorded, said fees to be taxed as costs."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 777 was then passed by the following vote:

## Yeas—110

Adkins	King
Alsup	Knetsch
Amos	Langdon
Baker	Lankford
Bates	Lanning
Beckworth	Leath
Bell	Leyendecker
Blankenship	Loggins
Bond	London
Boyer	Mauritz
Bradbury	McConnell
Bradford	McFarland
Bridgers	McKee
Broadfoot	Moffett
Burton	Morris
Callan	Morse
Carssow	Newton
Cauthorn	Patterson of Mills
Cleveland	Patterson
Colquitt	of Travis
Davis of Haskell	Petsch
Davis of Jasper	Pope
Davisson	Powell
of Eastland	Prescott
Deglandon	Reed of Bowie
Dollins	Reed of Dallas
England	Rhodes
Farmer	Roark
Felty	Ross
Fielden	Russell
Fox	Settle
Fuchs	Sewell
Gibson	Sharpe
Graves	Shell
Hamilton	Simpson
Hankamer	Skaggs
Hanna	Smith of Hopkins
Hardin	Smith
Harper	of Matagorda
Harrell	Smith of Tarrant
Harris of Archer	Stevenson
Harris of Dallas	Stinson
Harris of Dickens	Stocks
Holland	Talbert
Hoskins	Tarwater
Howard	Tennant
Huddleston	Tennyson
Hull	Thornberry
Hyder	Thornton
Jackson	Vale
James	Waggoner
Johnson of Ellis	Walker
Jones of Angelina	Westbrook
Jones of Falls	Winfree
Jones of Wise	Wood
Keefe	Worley
Kenyon	

## Absent

Alexander	Boethel
-----------	---------

Brown	Mann
Cagle	Mays
Cathey	McCracken
Celaya	McDonald
Davison of Fisher	McKinney
Dean	Monkhouse
Derden	Nicholson
Dickison	Oliver
Hartzog	Palmer
Heflin	Quinn
Herzik	Ragsdale
Johnson	Reader
of Tarrant	Riddle
Jones of Atascosa	Rutta
Keith	Schuenemann
Kelt	Weldon
Leonard	

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 785 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 785, A bill to be entitled "An Act amending Section 10, Acts of 1935, Second Called Session of the Forty-fourth Legislature, page 1800, Chapter 467, House Bill 77, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—103

Adkins	England
Alsup	Farmer
Amos	Felty
Baker	Fielden
Bates	Fox
Beckworth	Fuchs
Blankenship	Gibson
Bond	Graves
Boyer	Hamilton
Bradbury	Hanna
Bradford	Hardin
Bridgers	Harper
Broadfoot	Harris of Archer
Brown	Harris of Dallas
Burton	Harris of Dickens
Callan	Holland
Carssow	Hoskins
Cauthorn	Howard
Cleveland	Huddleston
Colquitt	Hull
Davis of Haskell	Hyder
Davis of Jasper	Jackson
Davisson	James
of Eastland	Johnson of Ellis
Deglandon	Jones of Angelina
Dollins	

Jones of Falls	Rhodes
Jones of Wise	Roark
Keefe	Ross
Kenyon	Russell
King	Schuenemann
Knetsch	Settle
Langdon	Sharpe
Lanning	Shell
Leath	Simpson
Leyendecker	Skaggs
Loggins	Smith of Hopkins
London	Smith
Mauritz	of Matagorda
McConnell	Smith of Tarrant
McFarland	Stinson
McKee	Stocks
Moffett	Tarwater
Morris	Tennant
Morse	Tennyson
Patterson of Mills	Thornberry
Patterson	Thornton
of Travis	Waggoner
Petsch	Walker
Pope	Westbrook
Powell	Winfree
Prescott	Wood
Reed of Bowie	Worley
Reed of Dallas	

## Nays—1

Sewell

## Absent

Alexander	Leonard
Bell	Mann
Boethel	Mays
Cagle	McCracken
Cathey	McDonald
Celaya	McKinney
Davison of Fisher	Monkhouse
Dean	Newton
Derden	Nicholson
Dickison	Oliver
Hankamer	Palmer
Harrell	Quinn
Hartzog	Ragsdale
Heflin	Reader
Herzik	Riddle
Johnson	Rutta
of Tarrant	Stevenson
Jones of Atascosa	Talbert
Keith	Vale
Kelt	Weldon
Lankford	

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

HOUSE BILL NO. 806 ON THIRD  
READING

The Speaker laid before the House,  
on its third reading and final passage,

H. B. No. 806, A bill to be entitled  
"An Act declaring the Collared Pec-  
cary or Javelina a game animal; pro-  
viding an open season for taking  
same and the number that may be  
taken or possessed; prohibiting the  
sale of any Peccary or part of such  
animal; providing a suitable penalty,  
and declaring an emergency."

The bill was read third time, and  
was passed by the following vote:

## Yeas—108

Adkins	Jones of Wise
Alsup	Keefe
Amos	Kenyon
Baker	King
Bates	Knetsch
Beckworth	Langdon
Bell	Lankford
Blankenship	Lanning
Bond	Leath
Boyer	Loggins
Bradbury	London
Bradford	Mauritz
Bridgers	McConnell
Broadfoot	McCracken
Brown	McFarland
Burton	McKinney
Callan	Moffett
Carssow	Morris
Cathey	Morse
Colquitt	Newton
Davis of Haskell	Patterson of Mills
Davisson	Patterson
of Eastland	of Travis
Deglandon	Petsch
Dollins	Pope
England	Powell
Farmer	Prescott
Felty	Reed of Bowie
Fielden	Reed of Dallas
Fox	Rhodes
Fuchs	Roark
Gibson	Ross
Graves	Russell
Hamilton	Rutta
Hankamer	Schuenemann
Hanna	Settle
Hardin	Sewell
Harper	Sharpe
Harris of Archer	Shell
Harris of Dallas	Simpson
Harris of Dickens	Skaggs
Holland	Smith of Hopkins
Hoskins	Smith
Howard	of Matagorda
Huddleston	Smith of Tarrant
Hyder	Stinson
Jackson	Stocks
James	Talbert
Johnson of Ellis	Tarwater
Jones of Angelina	Tennant
Jones of Falls	

Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner

Walker  
Westbrook  
Winfree  
Wood  
Worley

Nays—2

Cauthorn

Leyendecker

Absent

Alexander  
Boethel  
Cagle  
Celaya  
Cleveland  
Davis of Jasper  
Davison of Fisher  
Dean  
Derden  
Dickison  
Harrell  
Hartzog  
Heflin  
Herzik  
Hull  
Johnson  
of Tarrant  
Jones of Atascosa

Keith  
Kelt  
Leonard  
Mann  
Mays  
McDonald  
McKee  
Monkhouse  
Nicholson  
Oliver  
Palmer  
Quinn  
Ragsdale  
Reader  
Riddle  
Stevenson  
Weldon

Absent—Excused

Harbin  
Kern  
Little

Lucas  
Metcalf

# HOUSE BILL NO 880 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 880, A bill to be entitled "An Act to amend the Acts of 1933, Forty-third Legislature, Regular Session, page 547, Chapter 178, Section 13, relating to the issuance and manufacturing of the license number plates so as to provide for the issuing of a late license number plate, seal, sticker, or device, as the State Highway Commission may direct, for attaching same and relating to the State Penitentiary furnishing license number plates and road signs, providing for the purchasing of road signs by the State Board of Control on requisition of the State Highway Department; the Acts of 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, Section 13-a, relating to replacement of number plates so as to provide for replacement of license number plates, seals, stickers, and/or devices; the

Acts of 1934, Forty-third Legislature, . . . etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—111

Adkins  
Alsup  
Amos  
Baker  
Bates  
Beckworth  
Bell  
Blankenship  
Bond  
Bradbury  
Bradford  
Bridgers  
Broadfoot  
Brown  
Burton  
Cagle  
Callan  
Carssow  
Cathey  
Cauthorn  
Celaya  
Cleveland  
Colquitt  
Davis of Haskell  
Davison of Fisher  
Davisson  
of Eastland  
Deglandon  
Dollins  
England  
Farmer  
Felty  
Fox  
Fuchs  
Gibson  
Graves  
Hamilton  
Hankamer  
Hanna  
Hardin  
Harper  
Harris of Dallas  
Harris of Dickens  
Holland  
Hoskins  
Howard  
Huddleston  
Hull  
Hyder  
Jackson  
James  
Johnson of Ellis  
Jones of Angelina  
Jones of Falls  
Jones of Wise  
Keefe  
Kelt

Kenyon  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leath  
Leyendecker  
Loggins  
London  
Mauritz  
McConnell  
McFarland  
McKee  
Moffett  
Morris  
Morse  
Newton  
Patterson of Mills  
Patterson  
of Travis  
Pope  
Powell  
Prescott  
Reed of Bowie  
Reed of Dallas  
Rhodes  
Roark  
Ross  
Russell  
Rutta  
Schuenemann  
Settle  
Sewell  
Sharpe  
Shell  
Simpson  
Skaggs  
Smith of Hopkins  
Smith of Tarrant  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

Absent		Felty Fox Fuchs Gibson Hamilton Hanna Hardin Harper Harris of Archer Harris of Dallas Harris of Dickens Hartzog Hoskins Howard Huddleston Hull Hyder Jackson James Johnson of Ellis Jones of Angelina Jones of Falls Jones of Wise Keefe Kelt Kenyon King Knetsch Langdon Lankford Lanning Leath Leyendecker Loggins London Mauritz McConnell McFarland McKee Moffett Morris	Morse Newton Patterson of Mills Patterson of Travis Pope Powell Prescott Reed of Bowie Reed of Dallas Rhodes Roark Ross Russell Rutta Schuenemann Sewell Sharpe Shell Simpson Skaggs Smith of Hopkins Smith of Matagorda Smith of Tarrant Stevenson Stinson Stocks Talbert Tarwater Tennant Tennyson Thornberry Vale Waggoner Walker Weldon Westbrook Winfree Wood Worley
Alexander Boethel Boyer Davis of Jasper Dean Derden Dickison Fielden Harrell Harris of Archer Hartzog Heflin Herzik Johnson of Tarrant Jones of Atascosa Keith Leonard	Mann Mays McCracken McDonald McKinney Monkhouse Nicholson Oliver Palmer Petsch Quinn Ragsdale Reader Riddle Smith of Matagorda Stevenson		
Absent—Excused			
Harbin Kern Little	Lucas Metcalfe		
HOUSE BILL NO. 918 ON THIRD READING			
The Speaker laid before the House, on its third reading and final passage,			
H. B. No. 918, A bill to be entitled "An Act amending Article 3771 of Title 56 of the Revised Civil Statutes of Texas, 1925, Edition, by making an addition thereto providing for the withholding of execution after judgment in case of inability of the defendant to make supersedeas bond under certain conditions, and providing for motion and hearing before District or County Court to establish facts as to those conditions, and declaring an emergency."			
The bill was read third time, and was passed by the following vote:			
Yeas—109		Graves Hankamer	Thornton  Absent
Adkins Alsup Amos Baker Bates Beckworth Bell Blankenship Bond Boyer Bradbury Bradford Bridgers Broadfoot Burton	Callan Carssow Cauthorn Celaya Cleveland Colquitt Davis of Haskell Davis of Jasper Davison of Fisher Davison of Eastland Deglandon Dollins England Farmer	Alexander Boethel Brown Cagle Cathey Dean Derden Dickison Fielden Harrell Heflin Herzik Holland Johnson of Tarrant Jones of Atascosa Keith	Leonard Mann Mays McCracken McDonald McKinney Monkhouse Nicholson Oliver Palmer Petsch Quinn Ragsdale Reader Riddle Settle

Absent—Excused

Harbin Lucas  
Kern Metcalfe  
Little

HOUSE BILL NO. 863 ON THIRD  
READING

The Speaker laid before the House,  
on its third reading and final pass-  
age,

H. B. No. 863, A bill to be entitled  
"An Act increasing the allowance  
for office and traveling expenses for  
County Superintendents in all coun-  
ties containing a population accord-  
ing to the last preceding Federal  
Census of not less than 8600 nor  
more than 8650, and not less than  
5550 nor more than 5600, and not  
less than 12,150 nor more than  
12,200, and declaring an emergency."

The bill was read third time.

Mr. Tarwater offered the follow-  
ing amendment to the bill:

Amend House Bill No. 863, by  
striking out the words and figures  
"five thousand six hundred" wher-  
ever they appear in the bill and sub-  
stitute the following "five thousand  
five hundred and eighty (5580)."

The amendment was adopted.

Mr. Johnson of Ellis offered the  
following amendment to the bill:

Amend House Bill No. 863, by add-  
ing at the proper place to read as  
follows: "In counties having a pop-  
ulation of not less than 53,936 nor  
more than 53,950 according to the  
last preceding Federal Census."

JOHNSON of Ellis,  
SEWELL.

The amendment was adopted.

By unanimous consent of the  
House, the caption of the bill was  
ordered amended to conform to all  
changes and with the body of the  
bill.

House Bill No. 863 was then passed  
by the following vote:

Yeas—112

Adkins Boyer  
Alexander Bradbury  
Alsup Bradford  
Amos Bridgers  
Baker Broadfoot  
Beckworth Burton  
Bell Callan  
Blankenship Carssow  
Bond Cauthorn

Celaya  
Cleveland  
Colquitt  
Davis of Haskell  
Davis of Jasper  
Davison of Fisher  
Davisson  
of Eastland  
Deglandon  
Dollins  
England  
Farmer  
Felty  
Fox  
Fuchs  
Gibson  
Graves  
Hamilton  
Hanna  
Hardin  
Harper  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Holland  
Hoskins  
Howard  
Huddleston  
Hull  
Hyder  
Jackson  
James  
Johnson of Ellis  
Johnson  
of Tarrant  
Jones of Angelina  
Jones of Falls  
Jones of Wise  
Keefe  
Kelt  
Kenyon  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leath  
Leyendecker  
London  
Mauritz  
McConnell  
McCracken  
McFarland  
KcKee  
Moffett  
Morris  
Morse  
Newton  
Patterson of Mills  
Patterson  
of Travis  
Pope  
Powell  
Prescott  
Reed of Bowie  
Reed of Dallas  
Roark  
Ross  
Russell  
Rutta  
Schuenemann  
Settle  
Sharpe  
Shell  
Simpson  
Skaggs  
Smith of Hopkins  
Smith  
of Matagorda  
Smith of Tarrant  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

Absent

Bates  
Boethel  
Brown  
Cagle  
Cathey  
Dean  
Derden  
Dickison  
Fielden  
Hankamer  
Harrell  
Heflin  
Herzik  
Jones of Atascosa  
Keith  
Leonard  
Loggins  
Mann  
Mays  
McDonald  
McKinney  
Monkhouse  
Nicholson  
Oliver  
Palmer  
Petsch  
Quinn  
Ragsdale



Reader  
Rhodes

Riddle  
Sewell

Absent—Excused

Harbin  
Kern  
Little

Lucas  
Metcalf

#### MESSAGE FROM THE SENATE

Austin, Texas, April 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 491, A bill to be entitled "An Act to amend Article 4766, Revised Civil Statutes of 1925, as amended by Acts, 1935, Forty-fourth Legislature, page 24, Chapter 8, Section 1, and declaring an emergency."

H. B. No. 560, A bill to be entitled "An Act increasing the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and/or traveling expenses in counties with a population of not less than sixteen thousand six hundred (16,600) and not more than seventeen thousand sixty (17,060) according to the last preceding Federal Census; repealing all laws or parts of laws in conflict herewith, declaring an emergency." (With amendment.)

H. B. No. 596, A bill to be entitled "An Act to permit any county containing a population of not less than five thousand five hundred (5500) nor more than five thousand eight hundred (5800) according to the last preceding Federal Census to adopt by majority vote of qualified voters of such county a county unit system to the extent provided in this Act; making provisions for the formation of a county wide school district therein; . . . etc., and declaring an emergency."

H. B. No. 896, A bill to be entitled "An Act making it unlawful to use any seine, net, gill net, trot line or other mechanical or physical device, except hook and line, for the purpose of fishing within the waters of certain navigation districts in Texas; providing that possession of such devices on the right-of-way or lands or premises of such navigation districts shall constitute prima facie proof of guilt; providing for the punishment

of persons violating the provisions hereof, and declaring an emergency."

H. B. No. 1029, A bill to be entitled "An Act amending Article 3902 as amended by Acts, 1935, Forty-fourth Legislature, Second Called Session, page 1762, by adding thereto another section to be designated as Section 7, providing that in counties of a population bracket of not less than 39,496 and not more than 40,000, First Assistant County Attorneys shall receive a salary of from \$1,620.00 to \$1,920.00 per annum, to be determined by the Commissioners' Court, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILL NO. 938 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 938, A bill to be entitled "An Act amending Article 3605, to provide for the appointment of a guardian for a non compos mentis interested in an estate subject to division; providing for appointment of a guardian ad litem and/or attorney to represent non-residents and unknown parties having an interest in said property, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—113

Adkins	Davisson
Alexander	of Eastland
Amos	Deglandon
Baker	Dollins
Beckworth	England
Bell	Farmer
Blankenship	Felty
Bond	Fox
Boyer	Fuchs
Bradbury	Gibson
Bradford	Graves
Bridgers	Hamilton
Broadfoot	Hankamer
Burton	Hanna
Callan	Hardin
Carssow	Harper
Cathey	Harrell
Cauthorn	Harris of Archer
Celaya	Harris of Dallas
Cleveland	Harris of Dickens
Colquitt	Holland
Davis of Haskell	Hoskins
Davis of Jasper	Howard
Davison of Fisher	Huddleston

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Hull	Prescott
Hyder	Reed of Bowie
Jackson	Reed of Dallas
James	Roark
Johnson of Ellis	Ross
Johnson	Russell
of Tarrant	Rutta
Jones of Angelina	Schuenemann
Jones of Falls	Settle
Jones of Wise	Sharpe
Kelt	Shell
Kenyon	Simpson
King	Skaggs
Knetsch	Smith of Hopkins
Langdon	Smith
Lankford	of Matagorda
Lanning	Smith of Tarrant
Leath	Stevenson
Leyendecker	Stinson
Loggins	Stocks
London	Talbert
Mauritz	Tarwater
McConnell	Tennant
McCracken	Tennyson
McFarland	Thornberry
McKee	Thornton
Morris	Vale
Morse	Waggoner
Newton	Walker
Patterson of Mills	Weldon
Patterson	Westbrook
of Travis	Winfree
Petsch	Wood
Pope	Worley
Powell	

## Absent

Alsup	Mann
Bates	Mays
Boethel	McDonald
Brown	McKinney
Cagle	Moffett
Dean	Monkhouse
Derden	Nicholson
Dickison	Oliver
Fielden	Palmer
Hartzog	Quinn
Heflin	Ragsdale
Herzik	Reader
Jones of Atascosa	Rhodes
Keefe	Riddle
Keith	Sewell
Leonard	

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 940 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 940, A bill to be entitled "An Act making theft of wool or mohair or edible meat a felony; prescribing penalties therefor, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—108

Adkins	Kelt
Alexander	Kenyon
Amos	King
Baker	Langdon
Beckworth	Lankford
Bell	Lanning
Blankenship	Leath
Bond	Leyendecker
Boyer	Loggins
Bradbury	London
Bradford	Mauritz
Broadfoot	McConnell
Burton	McCracken
Callan	McFarland
Carssow	McKee
Cathey	Moffett
Cauthorn	Morris
Celaya	Newton
Cleveland	Patterson of Mills
Colquitt	Patterson
Davis of Haskell	of Travis
Davis of Jasper	Petsch
Davison of Fisher	Pope
Davisson	Powell
of Eastland	Prescott
Deglandon	Reed of Bowie
Dollins	Reed of Dallas
England	Rhodes
Farmer	Roark
Fox	Russell
Fuchs	Rutta
Gibson	Schuenemann
Graves	Settle
Hamilton	Sharpe
Hanna	Shell
Hardin	Simpson
Harper	Skaggs
Harrell	Smith of Hopkins
Harris of Archer	Smith
Harris of Dallas	of Matagorda
Harris of Dickens	Smith of Tarrant
Holland	Stevenson
Howard	Stinson
Huddleston	Stocks
Hull	Talbert
Jackson	Tarwater
James	Tennant
Johnson of Ellis	Tennyson
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Vale
Jones of Falls	Waggoner
Jones of Wise	Walker
Keefe	Weldon

Westbrook      Wood  
Winfree        Worley

Nays—1

Ross

Absent

Alsup	Keith
Bates	Knetsch
Boethel	Leonard
Bridgers	Mann
Brown	Mays
Cagle	McDonald
Dean	McKinney
Derden	Monkhouse
Dickison	Morse
Felty	Nicholson
Fielden	Oliver
Hankamer	Palmer
Hartzog	Quinn
Heflin	Ragsdale
Herzik	Reader
Hoskins	Riddle
Hyder	Sewell
Jones of Atascosa	

Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

#### HOUSE BILL NO. 984 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 984, A bill to be entitled "An Act providing for a closed season for the killing, taking or possessing of squirrel in the County of Wharton, Texas, during the months of January, February, and March of each year; providing a penalty for the violation of the provisions of this Act; repealing any provisions of law in conflict herewith, and declaring an emergency."

The bill was read third time, and was passed.

#### HOUSE BILL NO. 990 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 990, A bill to be entitled "An Act to create a more efficient Road Law for Burnet County, providing the payment of a tax of Three Dollars (\$3.00) by all persons in said county, subject to road duty under the General Laws, or the performance of certain manual labor on the

road, in the discharge of said road duty; providing the manner of assessing and collecting said road tax, and providing a penalty for failure or refusal to perform said road duty, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Fox offered the following amendments to the bill:

Amend House Bill No. 990, by adding a new section to be numbered Section 5 and renumber Section 5 to be Section 6, said new section to read as follows:

"Sec. 5. All laws and parts of laws in conflict herewith are hereby repealed."

Amend the caption of House Bill No. 990, by inserting between the words "duty" and "repealing" the following:

"Providing for the accounting of said funds; making the Act cumulative of General Laws";

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 990 was then passed by the following vote:

Yeas—113

Adkins	Davisson
Alexander	of Eastland
Alsup	Deglandon
Amos	England
Baker	Farmer
Beckworth	Felty
Bell	Fox
Blankenship	Fuchs
Bond	Gibson
Boyer	Graves
Bradbury	Hamilton
Bradford	Hankamer
Bridgers	Hanna
Broadfoot	Hardin
Burton	Harper
Callan	Harrell
Carssow	Harris of Archer
Cathey	Harris of Dallas
Cauthorn	Harris of Dickens
Celaya	Holland
Cleveland	Hoskins
Colquitt	Howard
Davis of Haskell	Hull
Davis of Jasper	Jackson
Davison of Fisher	James

Johnson of Ellis	Reed of Dallas
Jones of Angelina	Rhodes
Jones of Falls	Roark
Jones of Wise	Ross
Keefe	Russell
Kelt	Rutta
Kenyon	Schuenemann
King	Settle
Knetsch	Sharpe
Langdon	Shell
Lankford	Simpson
Lanning	Skaggs
Leath	Smith of Hopkins
Leyendecker	Smith
Loggins	of Matagorda
London	Smith of Tarrant
Mauritz	Stevenson
McConnell	Stinson
McCracken	Stocks
McFarland	Talbert
McKee	Tarwater
Moffett	Tennant
Morris	Tennyson
Morse	Thornberry
Newton	Thornton
Patterson of Mills	Vale
Patterson	Waggoner
of Travis	Walker
Petsch	Weldon
Pope	Westbrook
Powell	Winfree
Prescott	Wood
Reed of Bowie	Worley

## Absent

Bates	Jones of Atascosa
Boethel	Keith
Brown	Leonard
Cagle	Mann
Dean	Mays
Derden	McDonald
Dickison	McKinney
Dollins	Monkhouse
Fielden	Nicholson
Hartzog	Oliver
Heflin	Palmer
Herzik	Quinn
Huddleston	Ragsdale
Hyder	Reader
Johnson	Riddle
of Tarrant	Sewell

## Absent—Excused

Harbin	Lucas
Kern	Metcalf
Little	

## HOUSE BILL NO. 991 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 991, A bill to be entitled

“An Act providing for the creation of corporations for the purpose of establishing, maintaining, operating and engaging in the business of grading, constructing the terraces and drainage structures and all other forms of dirt construction work, and declaring an emergency.”

The bill was read third time, and was passed by the following vote:

Yeas—117

Adkins	James
Alexander	Johnson of Ellis
Alsup	Jones of Angelina
Amos	Jones of Falls
Baker	Jones of Wise
Beckworth	Keefe
Bell	Kelt
Blankenship	Kenyon
Bond	King
Boyer	Knetsch
Bradbury	Langdon
Bradford	Lankford
Bridgers	Lanning
Broadfoot	Leath
Brown	Leyendecker
Burton	Loggins
Callan	London
Carssow	Mauritz
Cathey	McConnell
Cauthorn	McCracken
Cleveland	McFarland
Colquitt	McKee
Davis of Haskell	McKinney
Davis of Jasper	Moffett
Davison of Fisher	Morris
Davison	Newton
of Eastland	Patterson of Mills
Deglandon	Patterson
England	of Travis
Farmer	Petsch
Felty	Pope
Fox	Powell
Fuchs	Prescott
Gibson	Reed of Bowie
Graves	Reed of Dallas
Hamilton	Rhodes
Hankamer	Roark
Hanna	Ross
Hardin	Russell
Harper	Rutta
Harrell	Schuenemann
Harris of Archer	Settle
Harris of Dallas	Sewell
Harris of Dickens	Sharpe
Hartzog	Shell
Holland	Simpson
Hoskins	Skaggs
Howard	Smith of Hopkins
Huddleston	Smith
Hull	of Matagorda
Hyder	Smith of Tarrant
Jackson	Stevenson

Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton

Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

## Absent

Bates  
Boethel  
Cagle  
Celaya  
Dean  
Derden  
Dickison  
Dollins  
Fielden  
Heflin  
Herzik  
Johnson  
of Tarrant  
Jones of Atascosa

Keith  
Leonard  
Mann  
Mays  
McDonald  
Monkhouse  
Morse  
Nicholson  
Oliver  
Palmer  
Quinn  
Ragsdale  
Reader  
Riddle

## Absent—Excused

Harbin  
Kern  
Little

Lucas  
Metcalf

## HOUSE BILL NO. 992 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 992, A bill to be entitled "An Act providing for trials of the contest of local option elections held pursuant to the terms of the Liquor Control Act; providing the time and manner in which such local option elections may be contested; prescribing the effect to be given the judgment of the courts in which said election is contested, and providing further that when no contest is filed within the time and the manner herein provided, that the legality of the election shall be conclusively presumed and shall be binding upon all courts, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—117

Adkins  
Alexander  
Alsup  
Amos  
Baker  
Beckworth

Bell  
Blankenship  
Bond  
Boyer  
Bradbury  
Bradford

Bridgers  
Broadfoot  
Brown  
Burton  
Callan  
Carssow  
Cathey  
Cauthorn  
Celaya  
Cleveland  
Colquitt  
Davis of Haskell  
Davis of Jasper  
Davison of Fisher  
Davisson  
of Eastland  
Deglandon  
Dollins  
England  
Farmer  
Felty  
Fox  
Fuchs  
Gibson  
Graves  
Hamilton  
Hankamer  
Hanna  
Hardin  
Harper  
Harrell  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Holland  
Hoskins  
Howard  
Huddleston  
Hull  
Hyder  
Jackson  
James  
Johnson of Ellis  
Jones of Angelina  
Jones of Falls  
Jones of Wise  
Keefe  
Kelt  
King  
Knetsch  
Langdon  
Lankford  
Lanning

Leath  
Leyendecker  
Loggins  
London  
Mauritz  
McConnell  
McCracken  
McFarland  
McKee  
McKinney  
Moffett  
Morris  
Morse  
Newton  
Patterson of Mills  
Patterson  
of Travis  
Petsch  
Pope  
Powell  
Prescott  
Reed of Bowie  
Reed of Dallas  
Roark  
Ross  
Russell  
Rutta  
Schuenemann  
Settle  
Sewell  
Sharpe  
Shell  
Simpson  
Skaggs  
Smith of Hopkins  
Smith of Tarrant  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

## Absent

Bates  
Boethel  
Cagle  
Dean  
Derden  
Dickison  
Fielden  
Heflin  
Herzik

Johnson  
of Tarrant  
Jones of Atascosa  
Keith  
Kenyon  
Leonard  
Mann  
Mays  
McDonald

Monkhouse	Reader
Nicholson	Rhodes
Oliver	Riddle
Palmer	Smith
Quinn	of Matagorda
Ragsdale	

Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 998 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 998, A bill to be entitled "An Act fixing the salaries of certain county officials in certain counties with a population of not less than twelve thousand, two hundred twenty-seven (12,227) and not more than twelve thousand two hundred thirty (12,230) according to the last preceding Federal Census of 1930, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—117

Adkins	England
Alexander	Farmer
Alsup	Felty
Amos	Fox
Baker	Fuchs
Bates	Gibson
Beckworth	Graves
Bell	Hamilton
Blankenship	Hankamer
Bond	Hanna
Boyer	Harper
Bradbury	Harrell
Bradford	Harris of Archer
Bridgers	Harris of Dallas
Broadfoot	Harris of Dickens
Brown	Hartzog
Burton	Holland
Cagle	Hoskins
Callan	Howard
Carssow	Huddleston
Cathey	Hull
Cauthorn	Jackson
Celaya	James
Cleveland	Johnson of Ellis
Colquitt	Jones of Falls
Davis of Haskell	Jones of Wise
Davis of Jasper	Keefe
Davison of Fisher	Kelt
Davison	Kenyon
of Eastland	King
Deglandon	Knetsch
Dollins	Langdon

Lankford	Russell
Lanning	Rutta
Leath	Schuenemann
Leyendecker	Sewell
Loggins	Sharpe
London	Shell
Mauritz	Simpson
McConnell	Skaggs
McCracken	Smith of Hopkins
McFarland	Smith
McKee	of Matagorda
Moffett	Smith of Tarrant
Monkhouse	Stevenson
Morris	Stinson
Morse	Stocks
Newton	Talbert
Patterson of Mills	Tennant
Patterson	Tennyson
of Travis	Thornberry
Petsch	Thornton
Pope	Vale
Powell	Waggoner
Prescott	Walker
Reed of Bowie	Weldon
Reed of Dallas	Westbrook
Rhodes	Winfree
Roark	Wood
Ross	Worley

Nays—1

Hardin

Absent

Boethel	Mann
Dean	Mays
Derden	McDonald
Dickison	McKinney
Fielden	Nicholson
Heflin	Oliver
Herzik	Palmer
Hyder	Quinn
Johnson	Ragsdale
of Tarrant	Reader
Jones of Angelina	Riddle
Jones of Atascosa	Settle
Keith	Tarwater
Leonard	

Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 1005 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1005, A bill to be entitled "An Act amending Title 25 of Article 911b, Section 6, paragraph (d) of Vernon's Annotated Texas Statutes by providing that the Railroad Commission of Texas may issue special

permits to transport used office furniture and equipment for hire by motor vehicles, and declaring an emergency."

The bill was read third time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1005 was then passed by the following vote:

Yeas—113

Adkins	James
Alexander	Johnson of Ellis
Alsup	Jones of Angelina
Amos	Jones of Falls
Baker	Jones of Wise
Beckworth	Keefe
Bell	Kelt
Blankenship	Kenyon
Bond	King
Boyer	Knetsch
Bradbury	Langdon
Bradford	Lankford
Bridgers	Lanning
Broadfoot	Leyendecker
Brown	Loggins
Burton	London
Callan	Mauritz
Carsow	McConnell
Cathey	McCracken
Cauthorn	McFarland
Celaya	McKee
Cleveland	Moffett
Colquitt	Morris
Davis of Haskell	Morse
Davis of Jasper	Newton
Davison of Fisher	Patterson of Mills
Davisson	Patterson
of Eastland	of Travis
Deglandon	Petsch
Dollins	Pope
England	Powell
Farmer	Prescott
Felty	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Rhodes
Graves	Roark
Hamilton	Ross
Hankamer	Russell
Hanna	Rutta
Hardin	Schuenemann
Harper	Settle
Harrell	Sewell
Harris of Dallas	Sharpe
Harris of Dickens	Shell
Hartzog	Simpson
Hoskins	Skaggs
Howard	Smith of Hopkins
Huddleston	Smith
Hyder	of Matagorda
Jackson	Smith of Tarrant

Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry

Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Wood  
Worley

Absent

Bates	Keith
Boethel	Leath
Cagle	Leonard
Dean	Mann
Derden	Mays
Dickison	McDonald
Fielden	McKinney
Fox	Monkhouse
Harris of Archer	Nicholson
Heflin	Oliver
Herzik	Palmer
Holland	Quinn
Hull	Ragsdale
Johnson	Reader
of Tarrant	Riddle
Jones of Atascosa	Winfree

Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

HOUSE BILL NO. 1006 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1006, A bill to be entitled "An Act to amend Chapter 57 of the Acts of the Forty-first Legislature of Texas, Regular Session, by amending Section 12 thereof so as to provide for the funding of scrip and warrant indebtedness of the road and bridge fund of Montgomery County, Texas, legally incurred prior to January 1, 1937; and by adding to said Act Section 13b, validating, ratifying, legalizing and confirming an issue of \$65,391.77 of road and bridge funding warrants of said County, dated November 1, 1936, and authorizing the funding thereof into coupon bonds of said County, in accordance with the terms and provisions of this Act; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—116

Adkins	Amos
Alexander	Baker
Alsup	Beckworth

Bell	Lankford
Blankenship	Lanning
Bond	Leath
Boyer	Leyendecker
Bradbury	London
Bradford	Mauritz
Bridgers	McConnell
Broadfoot	McCracken
Brown	McFarland
Burton	McKee
Cagle	Moffett
Callan	Morris
Carssow	Morse
Cathey	Newton
Cauthorn	Patterson of Mills
Celaya	Patterson
Cleveland	of Travis
Colquitt	Petsch
Davis of Jasper	Pope
Davison of Fisher	Powell
Davisson	Prescott
of Eastland	Reed of Bowie
Deglandon	Reed of Dallas
Dollins	Rhodes
England	Roark
Farmer	Ross
Felty	Russell
Fox	Rutta
Fuchs	Schuenemann
Gibson	Settle
Graves	Sewell
Hamilton	Sharpe
Hankamer	Shell
Hanna	Simpson
Hardin	Skaggs
Harper	Smith of Hopkins
Harrell	Smith
Harris of Archer	of Matagorda
Harris of Dallas	Smith of Tarrant
Harris of Dickens	Stevenson
Hartzog	Stinson
Holland	Stocks
Hoskins	Talbert
Howard	Tarwater
Huddleston	Tennant
Hull	Tennyson
Jackson	Thornberry
James	Thornton
Johnson of Ellis	Vale
Jones of Angelina	Waggoner
Jones of Falls	Walker
Jones of Wise	Weldon
Keefe	Westbrook
Kelt	Winfree
King	Wood
Knetsch	Worley
Langdon	

## Absent

Bates	Fielden
Boethel	Heflin
Davis of Haskell	Herzik
Dean	Hyder
Derden	Johnson
Dickison	of Tarrant

Jones of Atascosa	Monkhouse
Keith	Nicholson
Kenyon	Oliver
Leonard	Palmer
Loggins	Quinn
Mann	Ragsdale
Mays	Reader
McDonald	Riddle
McKinney	

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 1008 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1008, A bill to be entitled "An Act to amend Article 1302, Title 32, of the Revised Civil Statutes of Texas, of 1925, by adding another subdivision thereto authorizing private corporations to be created for the purpose of providing for the registration, preservation of the purity of blood, and improvement in the breeding of any species or class of livestock, and to keep, maintain and publish in suitable form the history, record and pedigree thereof, and declaring an emergency."

The bill was read third time.

Mr. Stevenson offered the following amendment to the bill:

Amend House Bill No. 1008, Section 1, by adding a new subdivision thereto to read as follows:

"Corporations may also be created for the purposes of providing for the mutual protection of members of voluntary Non-profit Livestock Associations and to promote generally the welfare of the livestock industry in the State and Nation."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1008 was then passed by the following vote:

## Yeas—114

Adkins	Beckworth
Alexander	Bell
Alsup	Blankenship
Amos	Bond
Baker	Boyer



Bradbury	Leath
Bradford	Leyendecker
Bridgers	Loggins
Broadfoot	London
Brown	Mauritz
Burton	McConnell
Callan	McCracken
Carssow	McFarland
Cathey	McKee
Cauthorn	Moffett
Celaya	Morris
Cleveland	Morse
Colquitt	Newton
Davis of Jasper	Patterson of Mills
Davison of Fisher	Patterson
Davisson	of Travis
of Eastland	Petsch
Deglandon	Pope
Dollins	Powell
England	Prescott
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fox	Rhodes
Fuchs	Roark
Gibson	Ross
Graves	Russell
Hamilton	Rutta
Hankamer	Schuenemann
Hanna	Settle
Hardin	Sharpe
Harper	Shell
Harrell	Simpson
Harris of Dallas	Skaggs
Harris of Dickens	Smith of Hopkins
Hartzog	Smith
Holland	of Matagorda
Hoskins	Smith of Tarrant
Howard	Stevenson
Huddleston	Stinson
Hull	Stocks
Jackson	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Jones of Angelina	Tennyson
Jones of Falls	Thornberry
Jones of Wise	Thornton
Keefe	Vale
Kelt	Waggoner
Kenyon	Walker
King	Weldon
Knetsch	Westbrook
Langdon	Wood
Lankford	Worley
Lanning	

Absent

Bates	Heflin
Boethel	Herzik
Cagle	Hyder
Davis of Haskell	Johnson
Dean	of Tarrant
Derden	Jones of Atascosa
Dickison	Keith
Fielden	Leonard
Harris of Archer	Mann

Mays	Quinn
McDonald	Ragsdale
McKinney	Reader
Monkhouse	Riddle
Nicholson	Sewell
Oliver	Winfree
Palmer	

Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 1010 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1010, A bill to be entitled "An Act establishing a County Law Library in counties in this State having three or more District Courts sitting for all of its terms or some of its terms with both civil and criminal jurisdiction, none of which have more than four terms a year and one which sits and has jurisdiction in not less than two other counties; providing a fund to be administered by the Commissioners' Court to be raised by collecting \$1.00 as costs in each case filed in any of said Courts in said county except delinquent tax suits and including all Civil and Criminal County Courts or District Courts; providing, however, that the county shall in no event be liable for any cost in any civil or criminal case; providing for a custodian or librarian and his salary; providing for housing and management, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—116

Adkins	Cauthorn
Alexander	Celaya
Alsup	Cleveland
Amos	Colquitt
Baker	Davis of Jasper
Beckworth	Davison of Fisher
Bell	Davisson
Blankenship	of Eastland
Bond	Deglandon
Boyer	Dollins
Bradbury	England
Bradford	Farmer
Bridgers	Felty
Broadfoot	Fox
Brown	Fuchs
Burton	Gibson
Callan	Graves
Carssow	Hamilton
Cathey	Hankamer

Hanna	Patterson
Hardin	of Travis
Harper	Petsch
Harrell	Pope
Harris of Dallas	Powell
Harris of Dickens	Prescott
Hartzog	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Rhodes
Howard	Roark
Huddleston	Ross
Hull	Russell
Hyder	Rutta
Jackson	Schuenemann
James	Settle
Johnson of Ellis	Sewell
Jones of Angelina	Sharpe
Jones of Falls	Shell
Jones of Wise	Simpson
Keefe	Skaggs
Kelt	Smith of Hopkins
Kenyon	Smith
King	of Matagorda
Knetsch	Smith of Tarrant
Langdon	Stinson
Lankford	Stocks
Lanning	Talbert
Leath	Tarwater
Leyendecker	Tennant
Loggins	Tennyson
London	Thornberry
Mauritz	Thornton
McConnell	Vale
McCracken	Waggoner
McFarland	Walker
McKee	Weldon
Moffett	Westbrook
Morris	Winfree
Morse	Wood
Newton	Worley
Patterson of Mills	

## Absent

Bates	Leonard
Boethel	Mann
Cagle	Mays
Davis of Haskell	McDonald
Dean	McKinney
Derden	Monkhouse
Dickison	Nicholson
Fielden	Oliver
Harris of Archer	Palmer
Heflin	Quinn
Herzik	Ragsdale
Johnson	Reader
of Tarrant	Riddle
Jones of Atascosa	Stevenson
Keith	

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 1026 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1026, A bill to be entitled "An Act amending Chapter 4, Acts of the Regular Session of the Forty-fourth Legislature, 1935, same being House Bill No. 226 of said Regular Session, authorizing the Criminal District Attorney of the One Hundred Twenty-fourth Judicial District of Texas to appoint two assistants; providing for the appointment, if necessary, of a criminal investigator and stenographer; . . . etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—116

Adkins	Harrell
Alexander	Harris of Dallas
Alsup	Harris of Dickens
Amos	Hartzog
Baker	Holland
Beckworth	Hoskins
Bell	Howard
Blankenship	Huddleston
Bond	Hull
Boyer	Hyder
Bradbury	Jackson
Bradford	James
Bridgers	Johnson of Ellis
Broadfoot	Jones of Angelina
Brown	Jones of Falls
Burton	Jones of Wise
Callan	Kelt
Carssow	Kenyon
Cathey	King
Cauthorn	Knetsch
Celaya	Langdon
Cleveland	Lankford
Colquitt	Lanning
Davis of Jasper	Leath
Davison of Fisher	Leyendecker
Davisson	Loggins
of Eastland	London
Deglandon	Mauritz
Dollins	McConnell
England	McCracken
Farmer	McFarland
Felty	McKee
Fox	Moffett
Fuchs	Morris
Gibson	Morse
Graves	Newton
Hamilton	Patterson of Mills
Hankamer	Patterson
Hanna	of Travis
Hardin	Petsch
Harper	Pope

Powell	Smith of Tarrant	Yeas—115	
Prescott	Stevenson	Adkins	King
Reed of Bowie	Stinson	Alexander	Knetsch
Reed of Dallas	Stocks	Alsup	Langdon
Rhodes	Talbert	Amos	Lankford
Roark	Tarwater	Baker	Lanning
Ross	Tennant	Beckworth	Leyendecker
Russell	Tennyson	Bell	Loggins
Rutta	Thornberry	Blankenship	London
Schuenemann	Thornton	Bond	Mauritz
Settle	Vale	Boyer	McConnell
Sewell	Waggoner	Bradbury	McCracken
Sharpe	Walker	Bradford	McFarland
Shell	Weldon	Bridgers	McKee
Simpson	Westbrook	Broadfoot	Moffett
Skaggs	Winfree	Brown	Morris
Smith of Hopkins	Wood	Burton	Morse
Smith of Matagorda	Worley	Callan	Newton
Absent		Carssow	Patterson of Mills
Bates	Keith	Cathey	Patterson of Travis
Boethel	Leonard	Cauthorn	Petsch
Cagle	Mann	Celaya	Pope
Davis of Haskell	Mays	Cleveland	Powell
Dean	McDonald	Colquitt	Prescott
Derden	McKinney	Davis of Jasper	Reed of Bowie
Dickson	Monkhouse	Davison of Fisher	Reed of Dallas
Fielden	Nicholson	Davisson of Eastland	Rhodes
Harris of Archer	Oliver	Deglandon	Roark
Heflin	Palmer	Dollins	Ross
Herzik	Quinn	England	Russell
Johnson of Tarrant	Ragsdale	Farmer	Rutta
Jones of Atascosa	Reader	Felty	Schuenemann
Keefe	Riddle	Fox	Settle
Absent—Excused		Fuchs	Sewell
Harbin	Lucas	Gibson	Sharpe
Kern	Metcalf	Graves	Shell
Little		Hamilton	Simpson
HOUSE BILL NO 1030 ON THIRD READING		Hankamer	Skaggs
The Speaker laid before the House, on its third reading and final pas- sage,		Hanna	Smith of Hopkins
H. B. No. 1030, A bill to be entitled "An Act amend Article 6711a, Chapter 33, Acts of the Regular Ses- sion, as amending Chapter 2, of Title 116, of the Revised Civil Statutes of Texas, 1925, by providing that upon application of ten (10) or more resi- dent citizens of the Counties of Leon, Madison and Anderson, or one person living within an enclosure of five hundred (500) acres or more in said Counties, the Commissioners' Court of said County shall open a road through said enclosure of land; . . . etc., and declaring an emergency."		Hardin	Smith of Matagorda
The bill was read third time, and was passed by the following vote:		Harper	Smith of Tarrant
		Harrell	Stevenson
		Harris of Dallas	Stinson
		Harris of Dickens	Stocks
		Hartzog	Talbert
		Holland	Tarwater
		Hoskins	Tennant
		Howard	Tennyson
		Huddleston	Thornberry
		Hyder	Thornton
		Jackson	Vale
		James	Waggoner
		Johnson of Ellis	Walker
		Jones of Angelina	Weldon
		Jones of Falls	Westbrook
		Jones of Wise	Winfree
		Keefe	Wood
		Kelt	Worley
		Kenyon	Absent
		Bates	Cagle
		Boethel	Davis of Haskell

Dean	Leonard	Davis of Jasper	McFarland
Derden	Mann	Davisson	McKee
Dickison	Mays	of Eastland	Moffett
Fielden	McDonald	Deglandon	Morris
Harris of Archer	McKinney	Dollins	Morse
Heflin	Monkhouse	England	Newton
Herzik	Nicholson	Farmer	Patterson of Mills
Hull	Oliver	Felty	Patterson
Johnson	Palmer	Fox	of Travis
of Tarrant	Quinn	Fuchs	Petsch
Jones of Atascosa	Ragsdale	Gibson	Pope
Keith	Reader	Graves	Powell
Leath	Riddle	Hamilton	Prescott

Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 1043 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1043, A bill to be entitled "An Act declaring all motor vehicle registration or license plates to be the property of the State Highway Commission of Texas until duly or lawfully purchased for use upon a motor vehicle owned by the purchaser thereof; declaring it unlawful for any tax assessor-collector, tax collector or other officer to sell, transfer, convey or otherwise deliver any registration or license plate for any consideration other than the full value thereof paid in lawful money; declaring that any violation of the provisions of this Act shall constitute a misdemeanor and prescribing a punishment upon conviction; fixing venue of such prosecution in Travis County, Texas; declaring the terms of this Act to be severable; repealing all laws in conflict, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—106

Alexander	Broadfoot
Alsup	Brown
Amos	Burton
Baker	Callan
Beckworth	Carsow
Bell	Cathey
Blankenship	Cauthorn
Bond	Celaya
Bradbury	Cleveland
Bradford	Colquitt
Bridgers	Davis of Haskell

Davis of Jasper	McFarland
Davisson	McKee
of Eastland	Moffett
Deglandon	Morris
Dollins	Morse
England	Newton
Farmer	Patterson of Mills
Felty	Patterson
Fox	of Travis
Fuchs	Petsch
Gibson	Pope
Graves	Powell
Hamilton	Prescott
Hankamer	Reed of Dallas
Hanna	Rhodes
Harper	Roark
Harrell	Ross
Harris of Dallas	Russell
Harris of Dickens	Rutta
Hartzog	Schuenemann
Holland	Settle
Hoskins	Sharpe
Howard	Shell
Huddleston	Simpson
Hull	Skaggs
Jackson	Smith of Hopkins
James	Smith
Johnson of Ellis	of Matagorda
Jones of Angelina	Smith of Tarrant
Jones of Falls	Stevenson
Jones of Wise	Stinson
Keefe	Stocks
Kelt	Talbert
Kenyon	Tarwater
King	Tennant
Knetsch	Thornberry
Langdon	Thornton
Lankford	Vale
Lanning	Waggoner
Leyendecker	Walker
London	Weldon
Mauritz	Winfree
McConnell	Wood
McCracken	Worley

Nays—6

Adkins	Reed of Bowie
Davison of Fisher	Tennyson
Hardin	Westbrook

Absent

Bates	Jones of Atascosa
Boethel	Keith
Boyer	Leath
Cagle	Leonard
Dean	Loggins
Derden	Mann
Dickison	Mays
Fielden	McDonald
Harris of Archer	McKinney
Heflin	Monkhouse
Herzik	Nicholson
Hyder	Oliver
Johnson	Palmer
of Tarrant	Quinn

Ragsdale  
Reader

Riddle  
Sewell

Absent—Excused

Harbin  
Kern  
Little

Lucas  
Metcalf

# HOUSE BILL NO. 1045 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1045, A bill to be entitled "An Act declaring it unlawful for any person to sell, take or have in his possession for barter or sale after the passage of this Act, for a period of five (5) years, any wild fox or the pelts thereof in the Counties of Hunt and Rains, State of Texas, and providing a penalty therefor, and declaring an emergency."

The bill was read third time.

Mr. Hyder offered the following amendment to the bill:

Amend House Bill No. 1045, by adding "Denton County" to the provisions of the bill.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1045 was then passed.

# HOUSE BILL NO. 1048 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1048, A bill to be entitled "An Act granting the Commissioners' Court of Taylor County permission to pay out of the General Fund of said County bounties for the destruction of rabbits and ravens, and declaring an emergency."

The bill was read third time.

Mr. Bradbury offered the following amendment to the bill:

Amend House Bill No. 1048, by adding after the word "rabbits" wherever it appears, the word "rattlesnakes."

The amendment was adopted.

Mr. Ross offered the following amendment to the bill:

Amend House Bill No. 1048, by inserting the words "Callahan and Eastland Counties" at the proper place.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1048 was then passed by the following vote:

Yeas—114

Adkins	Jackson
Alsup	James
Amos	Johnson of Ellis
Baker	Jones of Angelina
Beckworth	Jones of Falls
Bell	Jones of Wise
Blankenship	Keefe
Bond	Kelt
Boyer	Kenyon
Bradbury	King
Bradford	Knetsch
Broadfoot	Langdon
Brown	Lankford
Burton	Lanning
Cagle	Leath
Callan	Leyendecker
Carssow	Loggins
Cathey	London
Cauthorn	Mauritz
Celaya	McConnell
Cleveland	McCracken
Davis of Haskell	McFarland
Davis of Jasper	McKee
Davisson	Moffett
of Eastland	Morris
Davison of Fisher	Morse
Deglandon	Newton
Dollins	Patterson of Mills
England	Patterson
Farmer	of Travis
Felty	Petsch
Fox	Pope
Fuchs	Powell
Gibson	Prescott
Graves	Reed of Bowie
Hamilton	Reed of Dallas
Hankamer	Rhodes
Hanna	Roark
Hardin	Ross
Harper	Russell
Harrell	Settle
Harris of Dallas	Sewell
Harris of Dickens	Sharpe
Hartzog	Shell
Holland	Simpson
Hoskins	Skaggs
Howard	Smith of Hopkins
Huddleston	Smith
Hull	of Matagorda
Hyder	Smith of Tarrant

Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton

Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

Nays—1

Colquitt

Absent

Alexander	Leonard
Bates	Mann
Boethel	Mays
Bridgers	McDonald
Dean	McKinney
Derden	Monkhouse
Dickison	Nicholson
Fielden	Oliver
Harris of Archer	Palmer
Heflin	Quinn
Herzik	Ragsdale
Johnson	Reader
of Tarrant	Riddle
Jones of Atascosa	Rutta
Keith	Schuenemann

Absent-Excused

Harbin	Lucas
Kern	Metcalfe
Little	

# HOUSE BILL NO. 1053 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1053, A bill to be entitled "An Act fixing an open season or period of time when it shall be lawful to hunt, take or kill wild mourning doves in the South White Wing Zone; amending Article 879a of the Penal Code of Texas as amended by the Acts of 1929, Forty-first Legislature, page 173, Chapter 74, paragraph 1; . . . etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—112

Adkins	Boyer
Alsop	Bradbury
Amos	Bradford
Baker	Bridgers
Beckworth	Broadfoot
Bell	Brown
Blankenship	Burton
Bond	Callan

Carssow  
Celaya  
Cathey  
Cleveland  
Davis of Haskell  
Davis of Jasper  
Davison of Fisher  
Davison  
of Eastland  
Deglandon  
Dollins  
England  
Farmer  
Felty  
Fox  
Fuchs  
Gibson  
Graves  
Hamilton  
Hankamer  
Hanna  
Hardin  
Harper  
Harrell  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Holland  
Hoskins  
Huddleston  
Hull  
Hyder  
Jackson  
James  
Johnson of Ellis  
Jones of Angelina  
Jones of Falls  
Jones of Wise  
Keefe  
Kelt  
Kenyon  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leath  
Leyendecker  
London  
Mauritz

McConnell  
McCracken  
McFarland  
McKee  
Moffett  
Morris  
Morse  
Newton  
Patterson of Mills  
Patterson  
of Travis  
Petsch  
Pope  
Powell  
Prescott  
Reed of Bowie  
Reed of Dallas  
Rhodes  
Roark  
Russell  
Rutta  
Schuenemann  
Settle  
Sewell  
Sharpe  
Shell  
Simpson  
Skaggs  
Smith of Hopkins  
Smith  
of Matagorda  
Smith of Tarrant  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

Nays—1

Cauthorn

Absent

Alexander	Herzik
Bates	Howard
Boethel	Johnson
Cagle	of Tarrant
Colquitt	Jones of Atascosa
Dean	Keith
Derden	Leonard
Dickison	Loggins
Fielden	Mann
Harris of Archer	Mays
Heflin	McDonald

McKinney  
Monkhouse  
Nicholson  
Oliver  
Palmer

Quinn  
Ragsdale  
Reader  
Riddle  
Ross

Absent—Excused

Harbin  
Kern  
Little

Lucas  
Metcalf

# HOUSE BILL NO. 1055 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1055, A bill to be entitled "An Act to amend Article 492 of Chapter 8, Title 16 of the Revised Civil Statutes of Texas, 1925, with respect to State control of banking institutions; providing that corporations organized under such title are declared to be governmental instrumentalities of the State; repealing all laws in conflict, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—113

Adkins  
Alsup  
Amos  
Baker  
Beckworth  
Bell  
Blankenship  
Boyer  
Bradbury  
Bradford  
Bridgers  
Broadfoot  
Brown  
Burton  
Callan  
Carsow  
Cathey  
Cauthorn  
Celaya  
Cleveland  
Colquitt  
Davis of Haskell  
Davis of Jasper  
Davison of Fisher  
Davisson  
of Eastland  
Deglandon  
Dollins  
England  
Farmer  
Felty  
Fielden

Fox  
Fuchs  
Gibson  
Graves  
Hamilton  
Hankamer  
Hanna  
Hardin  
Harper  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Holland  
Hoskins  
Howard  
Huddleston  
Hull  
Hyder  
Jackson  
James  
Johnson of Ellis  
Jones of Angelina  
Jones of Falls  
Keefe  
Kelt  
Kenyon  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leath

Leyendecker  
London  
Mauritz  
McConnell  
McCracken  
McFarland  
McKee  
Moffett  
Morris  
Morse  
Newton  
Patterson of Mills  
Patterson  
of Travis  
Petsch  
Pope  
Powell  
Prescott  
Reed of Bowie  
Reed of Dallas  
Rhodes  
Roark  
Russell  
Rutta  
Schuenemann  
Settle

Sewell  
Sharpe  
Shell  
Simpson  
Skaggs  
Smith of Hopkins  
Smith  
of Matagorda  
Smith of Tarrant  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood  
Worley

Nays—1

Harrell

Absent

Alexander  
Bates  
Boethel  
Bond  
Cagle  
Dean  
Derden  
Dickison  
Harris of Archer  
Heflin  
Herzik  
Johnson  
of Tarrant  
Jones of Atascosa  
Jones of Wise  
Keith

Leonard  
Loggins  
Mann  
Mays  
McDonald  
McKinney  
Monkhouse  
Nicholson  
Oliver  
Palmer  
Quinn  
Ragsdale  
Reader  
Riddle  
Ross

Absent—Excused

Harbin  
Kern  
Little

Lucas  
Metcalf

# HOUSE BILL NO. 1057 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1057, A bill to be entitled "An Act providing that in certain counties convicts, either laying their fines out in jail or working such fines out on the County Farm or on the

county roads or other public works shall receive a credit therefor of \$1.00 per day for each day worked, or spent in jail, and declaring an emergency."

The bill was read third time.

Mr. Callan offered the following amendment to the bill:

Amend House Bill No. 1057, by inserting after the words and figures "thirty thousand, four hundred" in Section 1 the following:

"And in counties containing a population of not less than 40,900 nor more than 40,975,"

The amendment was adopted.

Mr. Westbrook offered the following amendment to the bill:

Amend House Bill No. 1057, Section 1, by adding after "(30,400)" the following:

"And in counties containing a population of not less than eleven thousand, nine hundred and ninety (11,990) and not more than twelve thousand (12,000) and in counties containing a population of not less than twelve thousand, four hundred seventy (12,470) and not more than twelve thousand, five hundred (12,500) and in counties containing a population of not less than forty-eight thousand, five hundred twenty-nine (48,529) and not more than forty-eight thousand, five hundred thirty (48,530) and in counties containing a population of not less than forty-one thousand, one hundred sixty-three (41,163) and not more than forty-one thousand, one hundred sixty-four (41,164) according to the last Federal Census."

WESTBROOK,  
HARRELL.

The amendment was adopted.

Mr. England offered the following amendment to the bill:

Amend House Bill No. 1057, by adding at proper place the words and figures "46,180 and 46,280."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1057 was then passed by the following vote:

Yeas—113

Adkins  
Alsop

Amos  
Baker

Beckworth	King
Bell	Knetsch
Blankenship	Langdon
Boethel	Lanning
Bond	Leyendecker
Boyer	Loggins
Bradbury	London
Bradford	Mauritz
Bridgers	McConnell
Broadfoot	McFarland
Brown	McKee
Burton	Moffett
Callan	Monkhouse
Carssow	Morris
Cathey	Morse
Cauthorn	Newton
Celaya	Patterson of Mills
Cleveland	Patterson
Colquitt	of Travis
Davis of Haskell	Petsch
Davis of Jasper	Pope
Davison of Fisher	Powell
Davisson	Prescott
of Eastland	Reed of Bowie
Deglandon	Reed of Dallas
Dollins	Rhodes
England	Roark
Farmer	Ross
Felty	Russell
Fielden	Rutta
Fox	Schuenemann
Fuchs	Settle
Gibson	Sewell
Graves	Sharpe
Hamilton	Shell
Hankamer	Simpson
Hanna	Skaggs
Hardin	Smith of Hopkins
Harper	Smith
Harrell	of Matagorda
Harris of Dallas	Smith of Tarrant
Harris of Dickens	Stevenson
Hartzog	Stinson
Holland	Stocks
Hoskins	Talbert
Howard	Tarwater
Huddleston	Tennant
Hull	Tennyson
Jackson	Thornberry
James	Thornton
Johnson of Ellis	Walker
Jones of Angelina	Weldon
Jones of Falls	Westbrook
Jones of Wise	Winfree
Keefe	Wood
Kelt	Worley

Absent

Alexander  
Bates  
Cagle  
Dean  
Derden  
Dickison

Harris of Archer  
Hefflin  
Herzik  
Hyder  
Johnson  
of Tarrant



Jones of Atascosa	McKinney
Keith	Nicholson
Kenyon	Oliver
Lankford	Palmer
Leath	Quinn
Leonard	Ragsdale
Mann	Reader
Mays	Riddle
McCracken	Vale
McDonald	Waggoner

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## HOUSE BILL NO. 893 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 893, A bill to be entitled "An Act to amend Section 6 of House Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature as amended by House Bill 373, Chapter 264, page 651 of the Acts of Regular Session of the Forty-fourth Legislature to exempt from the provisions thereof associations which are not operated for profit and which pay no salaries or commissions to anyone and which limit their membership to employees and the families of employees of any designated firm, corporation or individual; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Morse offered the following amendment to the bill:

Amend House Bill No. 893, by striking out Section 2 and adding in lieu thereof the following:

"Section 2. All laws or parts of laws requiring permits or certificates of authority for associations which limit their membership to the employees and the families of employees of any particular designated firm, corporation, or individual and which are not operated for profit and which pay no commissions to anyone and whose operating expenses do not exceed \$100.00 per month are hereby expressly repealed."

MORSE,  
JAMES.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 893 was then passed by the following vote:

Yeas—105

Adkins	Kenyon
Alsup	King
Amos	Knetsch
Baker	Langdon
Beckworth	Lankford
Bell	Lanning
Blankenship	Leath
Bond	Leyendecker
Boyer	London
Bradbury	Mauritz
Bradford	McConnell
Bridgers	McCracken
Broadfoot	McFarland
Brown	McKee
Burton	Monkhouse
Callan	Morris
Carssow	Morse
Cathey	Newton
Canthorn	Patterson of Mills
Celaya	Patterson
Cleveland	of Travis
Colquitt	Petsch
Davis of Haskell	Pope
Davis of Jasper	Powell
Davisson	Prescott
of Eastland	Reed of Bowie
Deglandon	Reed of Dallas
Dollins	Rhodes
England	Roark
Farmer	Ross
Felty	Russell
Fox	Rutta
Fuchs	Schuenemann
Gibson	Settle
Graves	Sewell
Hamilton	Shell
Hankamer	Simpson
Hanna	Skaggs
Harper	Smith
Harris of Dallas	of Matagorda
Harris of Dickens	Smith of Tarrant
Hartzog	Stinson
Holland	Stocks
Howard	Talbert
Huddleston	Tennant
Hull	Tennyson
Jackson	Thornberry
James	Thornton
Johnson of Ellis	Waggoner
Jones of Angelina	Walker
Jones of Falls	Weldon
Jones of Wise	Winfree
Keefe	Wood
Kelt	Worley

## Nays—4

Davison of Fisher Harrell  
Hardin Westbrook

## Absent

Alexander Loggins  
Bates Mann  
Boethel Mays  
Cagle McDonald  
Dean McKinney  
Derden Moffett  
Dickison Nicholson  
Fielden Oliver  
Harris of Archer Palmer  
Heflin Quinn  
Herzik Ragsdale  
Hoskins Reader  
Hyder Riddle  
Johnson Sharpe  
of Tarrant Smith of Hopkins  
Jones of Atascosa Stevenson  
Keith Tarwater  
Leonard Vale

## Absent—Excused

Harbin Lucas  
Kern Metcalfe  
Little

HOUSE BILL NO. 1017 ON THIRD  
READING

Mr. Knetsch moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1017 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—109

Adkins Cleveland  
Alsup Colquitt  
Amos Davis of Haskell  
Baker Davis of Jasper  
Beckworth Davison of Fisher  
Bell Davison  
Blankenship of Eastland  
Boethel Deglandon  
Bond Dollins  
Boyer England  
Bradbury Farmer  
Bridgers Felty  
Broadfoot Fox  
Brown Fuchs  
Burton Graves  
Callan Hamilton  
Carssow Hankamer  
Cathey Hanna  
Cauthorn Harper  
Celaya Harrell

Harris of Dallas Patterson  
Harris of Dickens of Travis  
Hartzog Petsch  
Holland Pope  
Hoskins Powell  
Howard Prescott  
Huddleston Reed of Dallas  
Hull Rhodes  
Jackson Riddle  
James Roark  
Johnson of Ellis Ross  
Jones of Angelina Russell  
Jones of Falls Rutta  
Jones of Wise Schuenemann  
Keefe Settle  
Kelt Sewell  
Kenyon Sharpe  
King Shell  
Knetsch Simpson  
Langdon Smith of Hopkins  
Lankford Smith  
Lanning of Matagorda  
Leath Stevenson  
Leyendecker Stinson  
London Stocks  
Mauritz Talbert  
McConnell Tennant  
McCracken Tennyson  
McFarland Thornberry  
McKee Thornton  
Monkhouse Waggoner  
Moffett Walker  
Morris Weldon  
Morse Westbrook  
Newton Winfree  
Patterson of Mills Worley

## Nays—5

Gibson Skaggs  
Hardin Wood  
Reed of Bowie

## Absent

Alexander Leonard  
Bates Loggins  
Bradford Mann  
Cagle Mays  
Dean McDonald  
Derden McKinney  
Dickison Nicholson  
Fielden Oliver  
Harris of Archer Palmer  
Heflin Quinn  
Herzik Ragsdale  
Hyder Reader  
Johnson Smith of Tarrant  
of Tarrant Tarwater  
Jones of Atascosa Vale  
Keith

## Absent—Excused

Harbin Lucas  
Kern Metcalfe  
Little

The Speaker then laid House Bill No. 1017 before the House, on third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—107

Adkins	Keefe
Alsup	King
Amos	Knetsch
Baker	Langdon
Bates	Lankford
Beckworth	Lanning
Bell	Leyendecker
Blankenship	London
Boethel	Mauritz
Bond	McConnell
Boyer	McCracken
Bradbury	McFarland
Bridgers	McKee
Broadfoot	Moffett
Brown	Monkhouse
Burton	Morris
Callan	Morse
Carssow	Newton
Cathey	Patterson of Mills
Cauthorn	Patterson
Celaya	of Travis
Cleveland	Petsch
Colquitt	Pope
Davis of Haskell	Powell
Davis of Jasper	Prescott
Davisson	Reed of Bowie
of Eastland	Reed of Dallas
Davison of Fisher	Rhodes
Deglandon	Riddle
Dollins	Roark
England	Rutta
Farmer	Schuenemann
Felty	Settle
Fox	Sewell
Fuchs	Sharpe
Gibson	Shell
Graves	Simpson
Hamilton	Skaggs
Hankamer	Smith of Hopkins
Hanna	Smith
Hardin	of Matagorda
Harper	Smith of Tarrant
Harris of Dallas	Stevenson
Hartzog	Stinson
Holland	Stocks
Hoskins	Talbert
Howard	Tennant
Huddleston	Tennyson
Hull	Thornberry
Jackson	Thornton
James	Waggoner
Johnson of Ellis	Walker
Jones of Angelina	Westbrook
Jones of Falls	Winfree
Jones of Wise	Worley

## Nays—3

Kenyon  
Ross

Wood

## Present—Not Voting

Russell

## Absent

Alexander	Kelt
Bradford	Leath
Cagle	Leonard
Dean	Loggins
Derden	Mann
Dickison	Mays
Fielden	McDonald
Harrell	McKinney
Harris of Archer	Nicholson
Harris of Dickens	Oliver
Heflin	Palmer
Herzik	Quinn
Hyder	Ragsdale
Johnson	Reader
of Tarrant	Tarwater
Jones of Atascosa	Vale
Keith	Weldon

## Absent—Excused

Harbin	Lucas
Kern	Metcalfe
Little	

## ADJOURNMENT

Mr. Farmer moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Morris moved that the House adjourn, until 10:00 o'clock a. m. tomorrow.

The motion of Mr. Farmer prevailed, and the House, accordingly, at 11:00 o'clock p. m., adjourned until 10:00 o'clock a. m., Wednesday, April 14.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Agriculture: Senate Bill No. 83.

Appropriations: House Bill No. 1088.

Banks and Banking: Senate Bills Nos. 106, 158 and 224.

Education: House Bill No. 1091; Senate Bill No. 113.

Counties: House Bills Nos. 1086, 1095 and 1096; Senate Bill No. 417.

Game and Fisheries: House Bills Nos. 1022, 1046, 1063, 1070 and 1081.

The Committee on Education filed adverse reports on the following bills:

House Bills Nos. 393, 415 and 764; Senate Bill No. 87.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, April 7, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 441, A bill to be entitled "An Act to amend Article 7064, Revised Civil Statutes of 1925, as amended by House Bill No. 8, Chapter 495, Article IV, Acts of the Third Called Session of the Forty-fourth Legislature of 1936; and to repeal Section 17, Chapter 40, Acts of the Forty-first Legislature, First Called Session, as relates to the payment of taxes; and to amend Article 4769, Revised Civil Statutes of 1925, as amended by said House Bill 8 above referred to; and to amend Article 7064a, as enacted by House Bill 8, Chapter 495, Article IV, Acts of the Third Called Session of the Forty-fourth Legislature aforesaid; and amending Article 7064 relating to insurance companies, corporations, reciprocals and other organizations or concerns transacting the business of fire, marine, marine inland, accident, credit, title livestock, fidelity, guaranty, surety, casualty or any other kind or character of insurance business other than life insurance and fraternal benefit associations; . . . etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 94, Authorizing the State Highway Department to lend welding machine to the County of Grimes, Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 2, Proposing an amendment to Article III of the Constitution of the State of Texas, by adding a new Section thereto to be known as Section 48b authorizing the Legislature to establish a system of unemployment insurance, and providing for the levying of a tax on payrolls for such purpose; and providing for its submission to the voters as required by the Constitution, and making an appropriation therefor.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

#### FIFTY-SECOND DAY

(Wednesday, April 14, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Davisson
Adkins	of Eastland
Alexander	Dean
Alsup	Deglandon
Amos	Derden
Baker	Dickison
Bates	Dollins
Beckworth	England
Bell	Farmer
Blankenship	Felty
Boethel	Fielden
Bond	Fox
Boyer	Fuchs
Bradbury	Gibson
Bradford	Graves
Bridgers	Hamilton
Broadfoot	Hankamer
Brown	Hanna
Burton	Harbin
Cagle	Hardin
Callan	Harper
Carsow	Harrell
Cathey	Harris of Dallas
Cauthorn	Harris of Dickens
Celaya	Hartzog
Cleveland	Heflin
Colquitt	Herzik
Davis of Haskell	Holland
Davis of Jasper	Hoskins
Davison of Fisher	Howard